



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: TP934/2024

Our File Reference Number: Erf 471, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-M

Sir / Madam

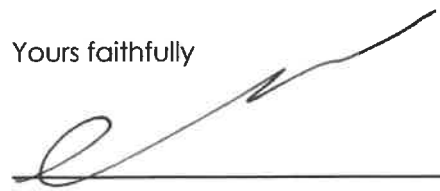
APPLICATION FOR THE SUSPENSION OF RESTRICTIVE TITLE DEED CONDITION AND PERMISSION IN TERMS OF THE ZONING SCHEME BYLAW: ERF 471, STELLENBOSCH.

1. The above application refers.
 2. The duly authorised decision maker **hereby decides** on the above application as follows.
 3. That the following application(s) in terms of Section 15(2) of the Stellenbosch Municipal Land Use Planning Bylaw,
 - 3.1. **Suspension** of the following title deed building lines in terms of Section 15(2)(f) of the said by-law, in accordance with the restrictive title deed conditions in Section C(6)(d) of the title deed (T12398/2022) to relax the common building line from 3.15m to
 - 3.1.1 1,287m for a new swimming pool adjacent to Erf 511,
 - 3.1.2 0m to allow an open bin storage facility and drying yard and enclosed tool shed, on the southern common property boundary adjacent Erf 472, Stellenbosch.
 - 3.2 **Permission** in terms of the zoning scheme bylaw, in terms of Section 15(2)(g) of the said bylaw to allow infill that raise the backyard above 1m (± 48 cm higher), above the existing ground level within 0m from the common building lines adjacent to Erf 511, Stellenbosch, excluding the area 3.15m from Erf 470, as required in terms of Section 39(1)(a) of the Stellenbosch Municipal Zoning Scheme By-law (2023).
- BE APPROVED** in terms of Section 60 of the said Bylaw and subject to conditions of approval.
- 4 The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:
 - 4.1 The approval only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.

- 4.2 The development be undertaken and building plans, be generally in accordance with the endorsed site development plan, as referenced (Project Name: 471 Dalsig – Town Planning Application; Project No. SL-A255 {A.01.4} and dated 2025/12/05) and attached as **Appendix 2**.
- 4.3 Building plans be submitted, which will only be approved by the Municipality when all relevant conditions of approval have been complied with.
- 4.4 That earthwork above 1m from the existing ground level, be removed in the 3.15m title deed building line along Erf 470, Stellenbosch and all landscaping be implemented/completed as per the site development plan, as referenced (Project Name: 471 Dalsig – Town Planning Application; Project No. SL-A255 {A.01.4} and dated 2025/12/05) and attached as **Appendix 2**, prior to an occupation certificate being granted for the swimming pool, drying yard, bin store and tool shed.
- 4.5 The suspension and permission hereby approved be valid for a period of five (5) years from the date of final notification that the approval comes into operation and lapses if the conditions herein are not complied with within that period, (unless extension of the validity thereof has been granted by the Municipality prior to such lapsing).
- 5 The reasons for the above decision are as follows:
- 5.1 The proposed development is compatible with neighbouring residential land uses and structures.
- 5.2 Erf 511, Stellenbosch is a municipal public place and not a functional open space, and consequently the infill onto the boundary of this property would not have an adverse impact on the public interest or any neighbouring property.
- 5.3 The approval does not permit any departures or permissions for any building structures within any building line restriction on the shared boundary with the neighbouring Erf 470, and potential visual impacts and privacy concerns on the shared boundary between Erf 471 and 470, Stellenbosch will be mitigated with the adopted landscaping plan which needs to be implemented and maintained.
- 5.4 No municipal engineering services are impact by the proposals.
- 6 Matters to be noted:
- 6.1 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.
- 6.2 The applicant, after publication of a notice in the Provincial Gazette to apply to the Registrar of Deeds to make appropriate entries in, and endorsements on, any relevant register or title deed to reflect the suspension of the restrictive conditions where required.
- 6.3 The approved land use rights only come into effect once all suspensive conditions or relevant legislative provisions, have been complied with.
- 6.4 The unauthorised encroachment on Municipal property Erf 511 with illegally build structures must be rectified and the land rehabilitated before any required building plan application will be considered for approval.
- 7 You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

- 8 Appeals must be submitted by completing the required form with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law.
- 9 **Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za**
- 10 Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the appeal. The **TP** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.
- 11 The appeal forms and approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@stellenbosch.gov.za or 021 – 808 8684.
- 12 An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
 - (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
 - (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
 - (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.
- 13 Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
- 14 Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully



SENIOR MANAGER: DEVELOPMENT MANAGEMENT (Stiaan Carstens)

Category & Delegation Item Number: F(a)(2), LUP85

Decision Making Authority: SMDM / DIR

Rational: Application is not inconsistent and may be contested

DATE: 13/02/2026

APPENDIX 1

Locality

3.2 Locality and Context

The application is situated in Dalsig, east of the R44 in Stellenberg Avenue. Please refer to Figure 1 for the locality of the site



Figure 3: Locality of Application Site

APPLICATION FOR CONSENT / PERMISSION REQUIRED IN TERMS OF A TITLE DEED RELAXATION OF THE TITLE DEED BUILDING LINES

ERF 471 STELLENBOSCH, 3 STELLENBERG AVENUE



OCTOBER 2024 – Rev 1
DECEMBER 2025 – Rev 2

SUBMITTED TO:
STELLENBOSCH MUNICIPALITY

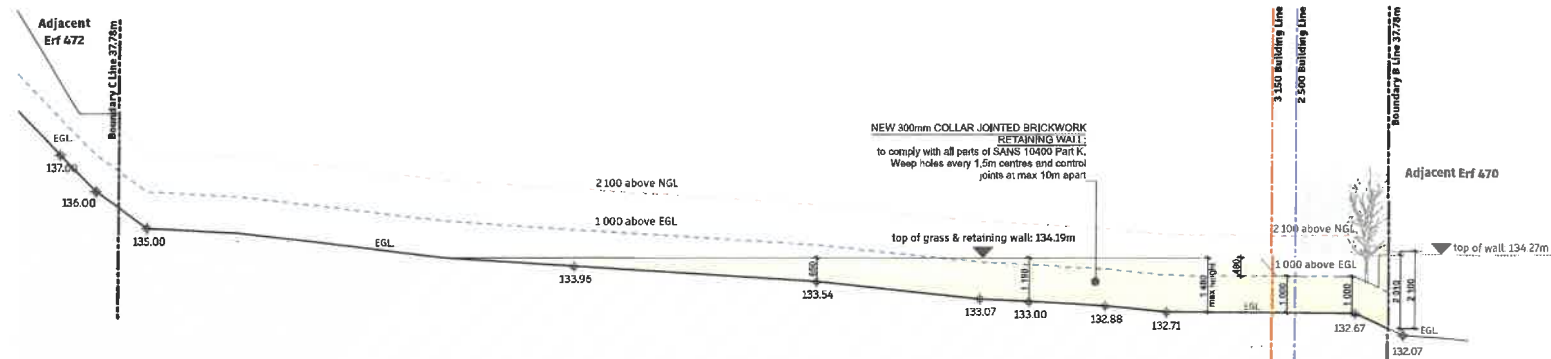
PREPARED AND SUBMITTED BY:



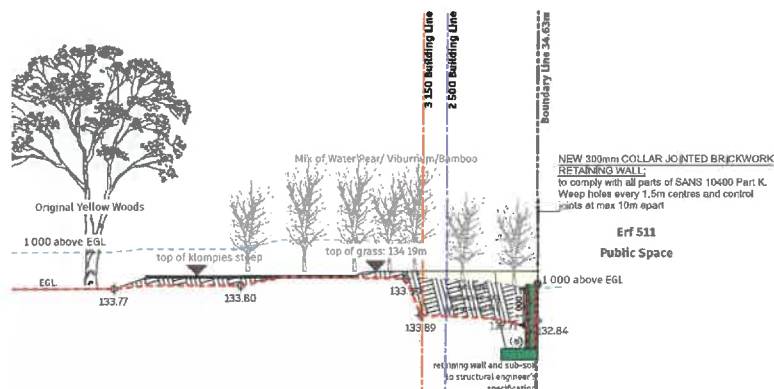
Postal Address: Postnet Suite #027
Private Bag X5071
Stellenbosch, 7600
Email: marike@archtownplanners.co.za
Website: www.archtownplanners.co.za

APPENDIX 2

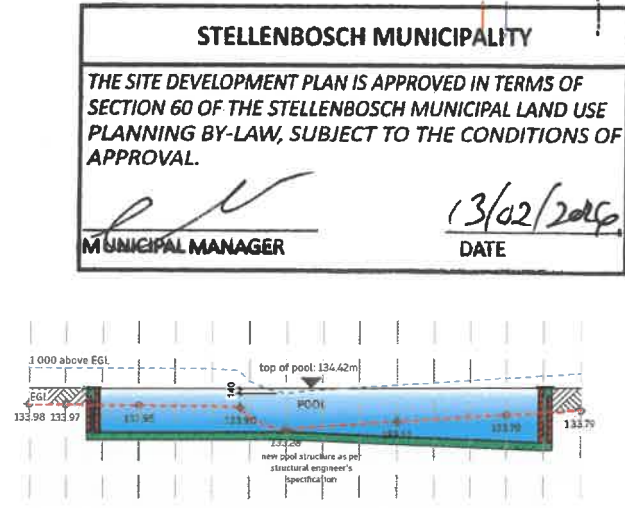
Site Development Plan



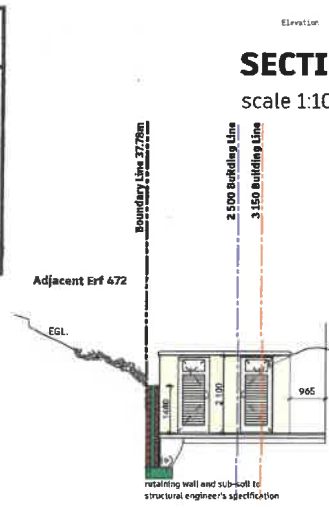
ELEVATION OF RETAINING WALL ON BOUNDARY B-C
scale 1:100



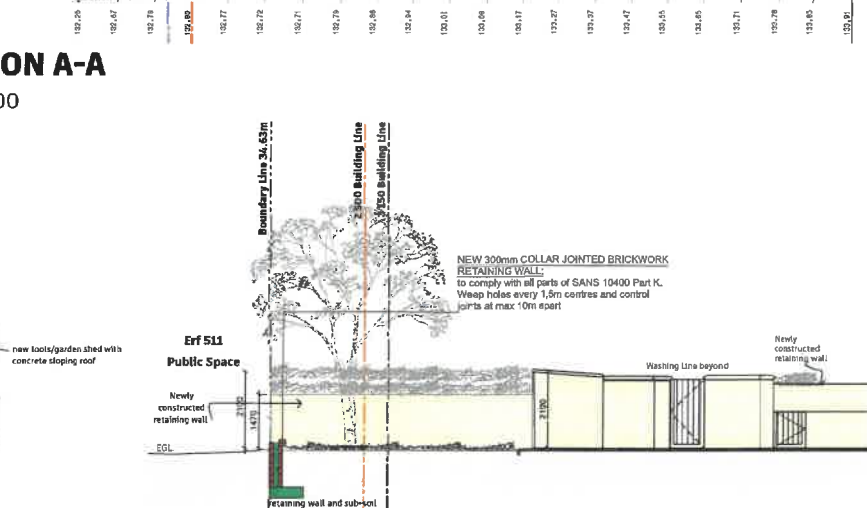
SECTION B-B (highest point)
scale 1:100



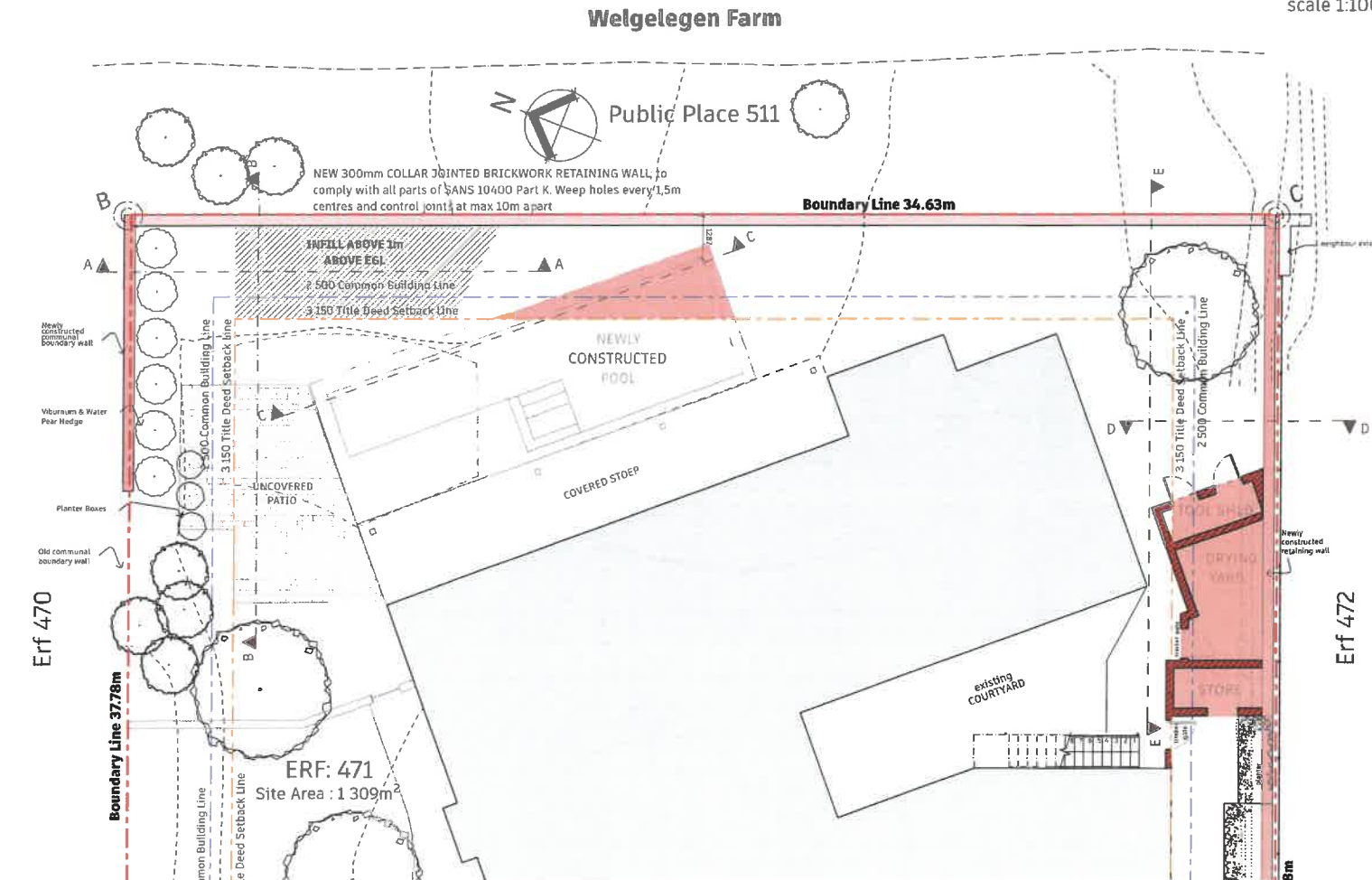
SECTION C-C (pool section)
scale 1:100



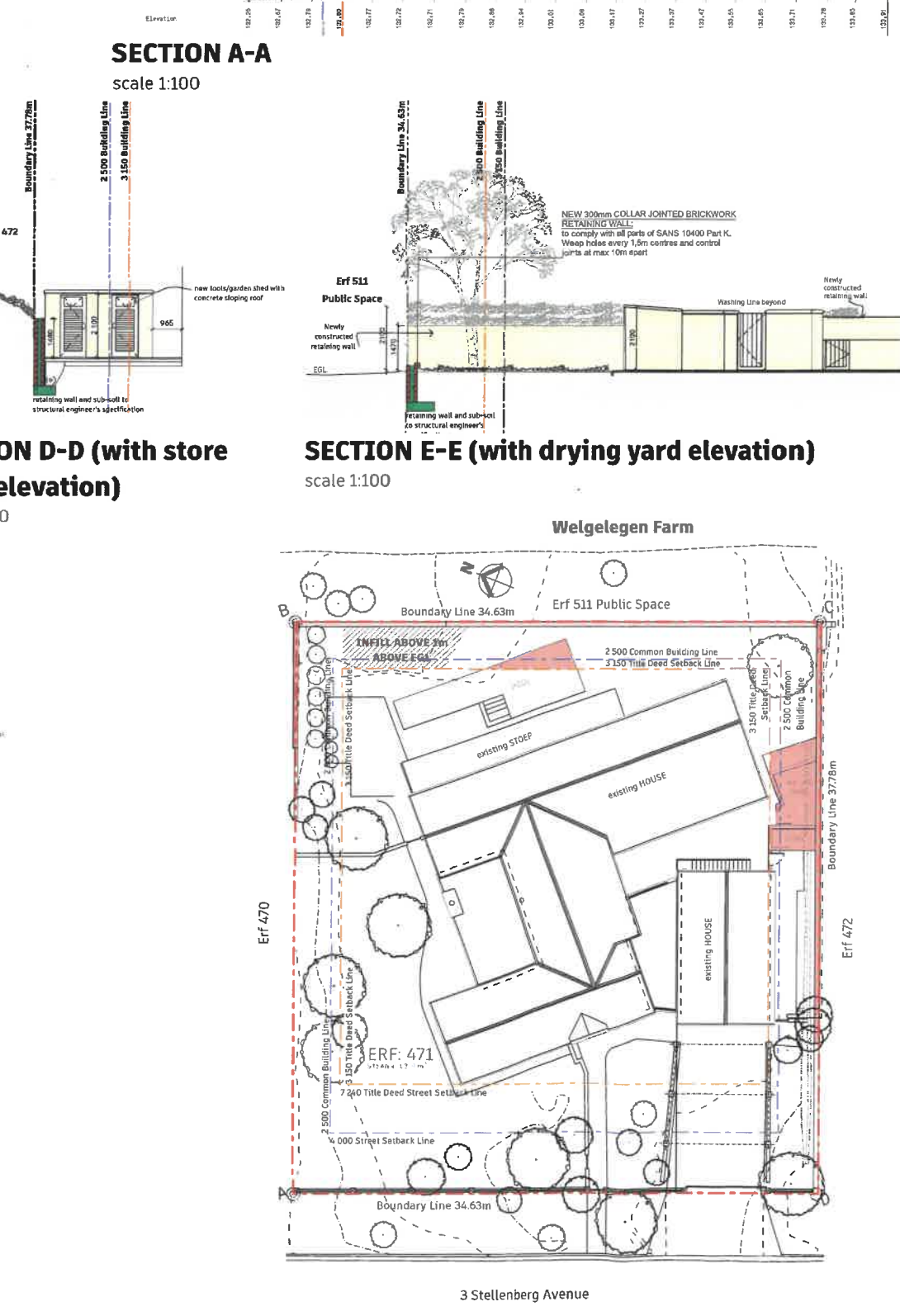
SECTION D-D (with store room elevation)
scale 1:100



SECTION E-E (with drying yard elevation)
scale 1:100



GROUND FLOOR PLAN OF ADDITIONAL AREAS
scale 1:100



SITE DEVELOPMENT PLAN
scale 1:100

- notes
- All statutory requirements shall be adhered to (including national building regulations and municipal zoning scheme by-laws)
 - All work to be carried out in strict compliance with relevant sams 10400 regulations and national building regulations.
 - Contractors are to check and verify all dimensions and levels on site prior to any work being carried out.
 - This drawing is not to be scaled, only figured dimensions are to be used.
 - Any discrepancies are to be brought to the attention of the architect or other responsible consultant/agent.
 - The design & detail on this drawing remains the property of studio limn and copyright is reserved (explicit written permission to be obtained for any reproduction or use of core essence of the drawings illustrated)
 - Contractor to first obtain written confirmation of any contract instructions before work is to be carried out.

3 Stellenberg Avenue
Welgelegen
Stellenbosch
ERF 471

NOTE:
SUPPLEMENTARY DOCUMENTATION FOR USAGE
IN TOWNPLANNING APPLICATION ONLY;
STUDIO LIMN WILL NOT BE HELD LIABLE FOR
ANY INCORRECT INFORMATION.

HEIGHTS AND POSITIONING FROM PROVIDED
LANDSURVEY'S DOCUMENTATION.

revision history:		
REV	DESCRIPTION	DATE
1	Townplanning Application	2025/05/25
2	Townplanning Application - Additional info	2025/06/23
3	Townplanning Application - Additional info	2025/07/05

Status: SUPPLEMENTARY DOCUMENTATION

project name: 471 Dalsig - Townplanning Application

drawing title: Proposed Site Development Plan, Elevations and Sections (For Land Use Submission only)

revision:	3
modified by:	SB
approved by:	DB
published date:	2025/12/05
project number:	SL - A255
drawing scale:	1:100, 1:200