



STELLENBOSCH

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MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/18494

Our File Reference Number: Erf 1059, Jamestown

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL: [REDACTED]

Sir/Madam

APPLICATION FOR CONSENT USE: ERF 1059, JAMESTOWN

1. The above application refers.

2. The duly authorised decision maker has decided on the above application as follows:

- 2.1 Application for **Consent Use** in terms of section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law, 2023 to permit the usage of a portion of the existing dwelling as a house shop on Erf 1059, Jamestown.

BE APPROVED in terms of Section 60 of the said By-law and subject to conditions of approval.

3. The approval is subject to the following conditions imposed in terms of Section 66 of the said Bylaw:

- 3.1 The approval only applies to the proposed house shop 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.
- 3.2 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.
- 3.3 The house shop, including storage, be limited to 8m² as indicated on the site plan / floor layout plan with reference number: Drawing No. 2025/08/01, drawn by D. Lakey Draughting Services, Dated FEB.2025, as attached as **Annexure A**.

3.4 Any new structure or alteration to the property be compatible with the residential character of the area, particularly about the streetscape, and must be capable of reverting to be used as part of the dwelling house.

3.5 The residential character of the façade of the dwelling house shall be retained to the satisfaction of the Municipality.

3.6 No more than 3 persons, including the owner of the dwelling or residing family member, be employed in the house shop.

3.7 No gambling, video games, pool and pinball tables be permitted in the house shop.

3.8 The operation of the house shop is subject to the provisions and requirements of the Spaza Shop Bylaw, 2026.

3.9 The conditions imposed by the Directorate Infrastructure Services as contained in the memorandum dated 27 May 2025, and attached as **Annexure B**, be complied with to the satisfaction of the said department.

3.10 Building plan be submitted for all changes of use in the existing buildings and which building plan be approved and related occupancy certificates be issued.

4. The reasons for the above decision are as follows:

4.1 The proposed house shop will serve the surrounding community by selling essential goods and it will mainly be accessed by people walking to the shop.

4.2 The house shop is compatible with the residential character of the area.

4.3 The proposed development would not negatively affect the aesthetic appearance of the structure, property or surrounding environment and the primary use of the property will remain residential.

4.4 The scale and nature of the proposed house shop will not compromise the existing character of the surrounding residential area.

5. Matters to be noted:

5.1 An application for the erection of advertising signs be submitted for approval to the Municipality and that all signage on the property be erected to the satisfaction of the Municipality or be in line with the relevant signage policy of the Municipality.

5.2 The land use to not create any undue noise or be a nuisance to the neighbourhood and that precautionary measures be taken to avoid environmental noise pollution in terms of the

Western Cape Noise Control Regulations, 2013, PN. 200/2013 made in terms of Section 25 of the Environmental Conservation Act, 1989 (Act No 73 of 1989).

5.3 Should the premises be used for a category of business which is required to be licensed in terms of the Business Act, No. 71 of 1991 i.e. sale and supply of meals, health and entertainment, etc, then application must be made for the relevant business license.

5.4 Should food be prepared or handled, then application must also be made in writing to the Municipal Health Services Department of the Cape Winelands District Municipality for a Certificate of Acceptability for food premises in terms Regulation 638 of 22 June 2018 promulgated under the Foodstuffs, Cosmetics and Disinfectants Act, No 54 of 1972. These requirements come into effect once the Municipality has approved the land use application.

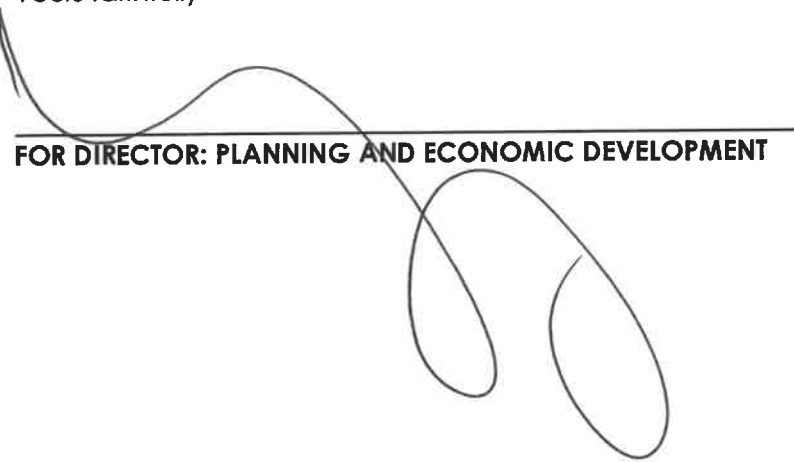
5.5 The authorised official of the Municipality will, after due process, exercise its discretion in terms of Section 90(c) of the Municipal Land Use Planning By-Law to withdraw the subject approval granted and the building structures to be reverted to uses in line with the primary use of the property, should the following be the case:

- a) The subject approved land use remains in breach of complying with any of the conditions of approval required for the vesting of the subject approval, and/ or
- b) The operational use be in breach of any of the conditions of approval, inclusive of persistent complaints of undue noise levels, and/ or
- c) The property be used for any unauthorised uses not permitted in terms of this approval.

6. 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.
7. 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.
8. **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**
9. 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 **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

10. The appeal form 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.
11. 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.
12. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.
13. 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


FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT

12/10/2026.
DATE

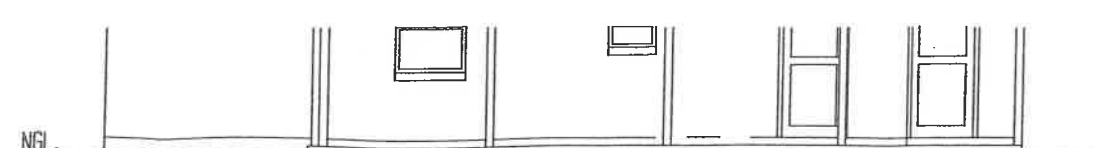


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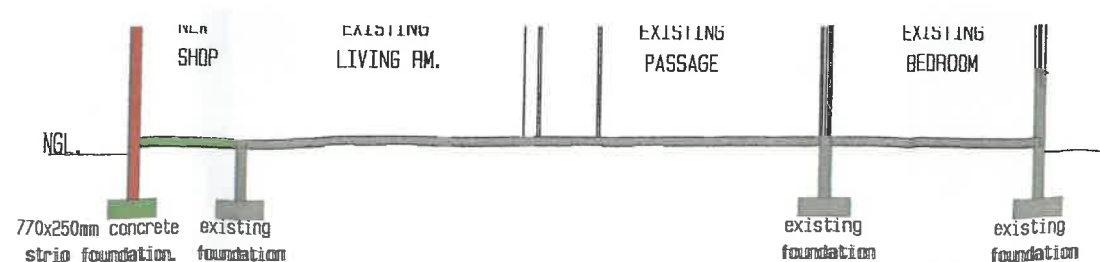
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Annexure A:

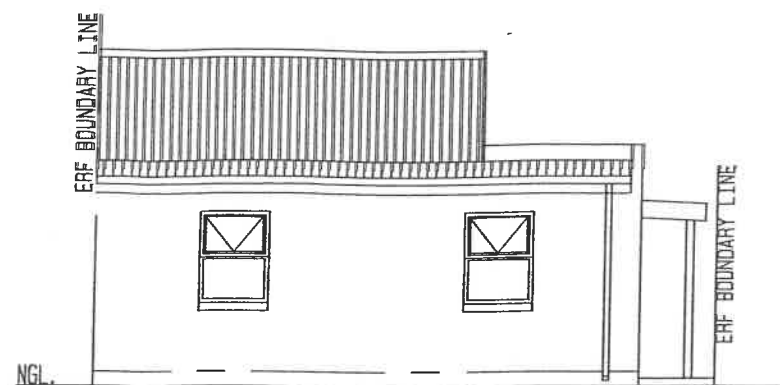
Site Plan



1:100 SOUTH ELEVATION



1:100 NORTH SECTION ELEVATION



1:100 WEST ELEVATION

FENESTRATION CALCULATIONS:	
Zone	4
U-Value	1.4
SHGC	0.13
Building Orientation N S (longer axis)	
Nett floor area	22.2 x 20/100
20% (gleazing)	4.44m2
Fenestration provided	
W1x1 -	1.44m2
Total	1.44m2
Comply with the minimum Energy Performance Requirements	

DEVELOPMENT DATA:	
SITE AREA	116sq
EXISTING DWELLING	86sq
NEW SHOP	8sq
OVERALL TOTAL	94sq
COVERAGE PER SQM	94sq
TOTAL COVERAGE	81%

D LAKEY
DRAUGHTING SERVICES

12 TAAIBOS CLOSE CELL: 0729082334
THE RIDGE
IDAS VALLEY
STELLENBOSCH
7600

SACAP NO.D2280

SKEMA / PROJECT

NEW ADDITIONS (SHOP)
FOR MR & MRS C & V FORTUIN
ERF 1059, NO.27 ROOIBERG STREET
JAMESTOWN, STELLENBOSCH

TEKENING / DRAWING

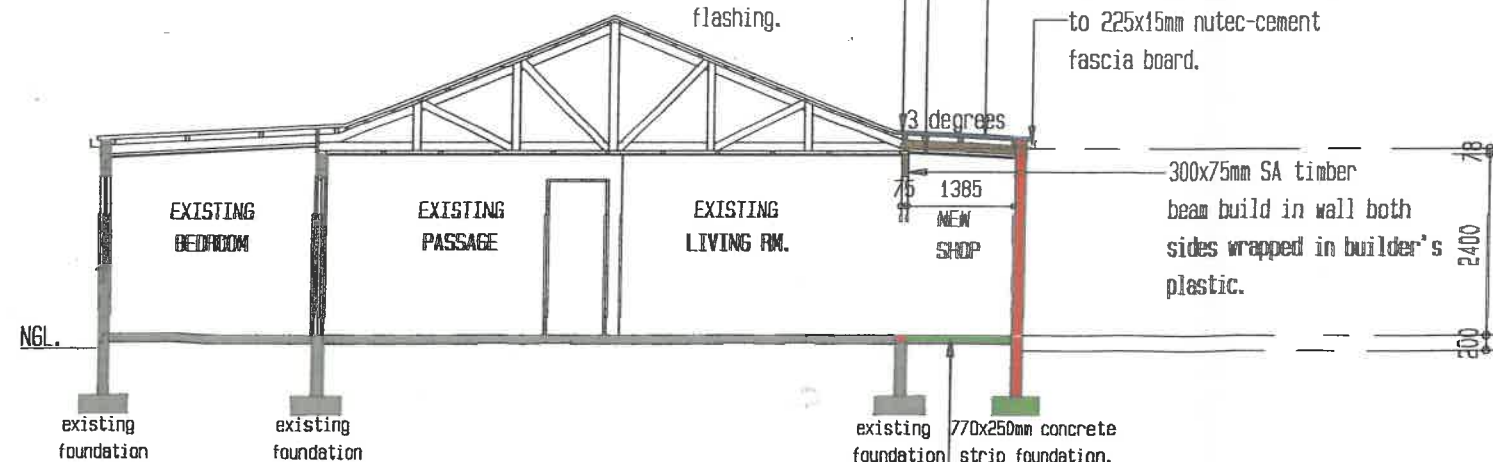
MUNICIPAL DRAWING:
PLANS, SECTIONS, ELEVATIONS,
WINDOW & DOOR SCHEDULES
FENESTRATION

DESIGNED	REV.	TEKENING Nr. DRAWING No.	
DRAWN		2025/08/01	
D. LAKEY			
SCALE	DATE	CHECKED	ISSUED
AS SHOWN	FEB. 2025		

6.4mm Rhinoboard ceiling boards fixed to 38x50mm SA pine branderling at 400mm c/c max. in one direction, Ceiling painted white.

Standard galv. IBR. Single length roofsheets 3 degrees on 76x50mm SA Pine purlins at 1000mm c/c on Sisalation 420 underlay on 152x50mm SA Pine timber beams (grade 6) at 1000mm c/c min. built into wall both sides. Ends wrapped in builders plastic.

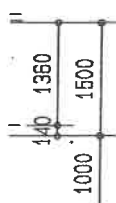
110x75mm PVC gutter fixed to 225x15mm nutec-cement fascia board.



1:100 SECTION AA

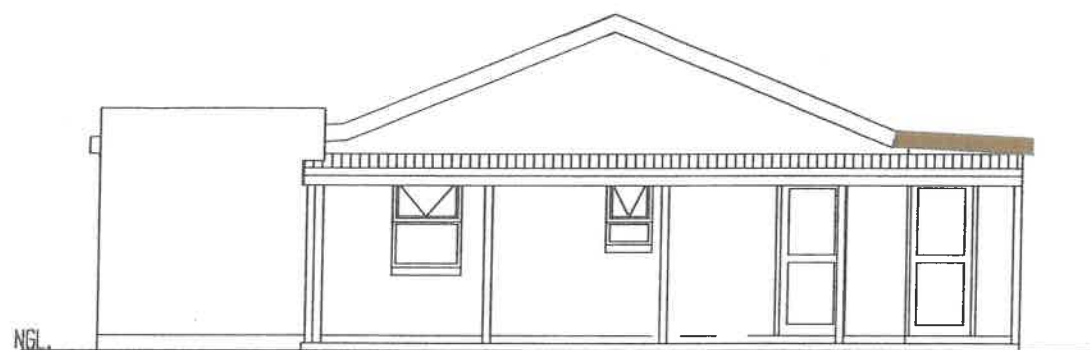
Floor finish on screed, total thickness - 35mm, on 100mm thick concrete surface bed on 375 micron Gunplas USB green damp proof membrane on 50mm clean sand on well compacted fill in layers of 150mm max. compacted to 100% mod. aashto density and to SABS 0400

300x75mm SA timber
ld in wall both
apped in builder's

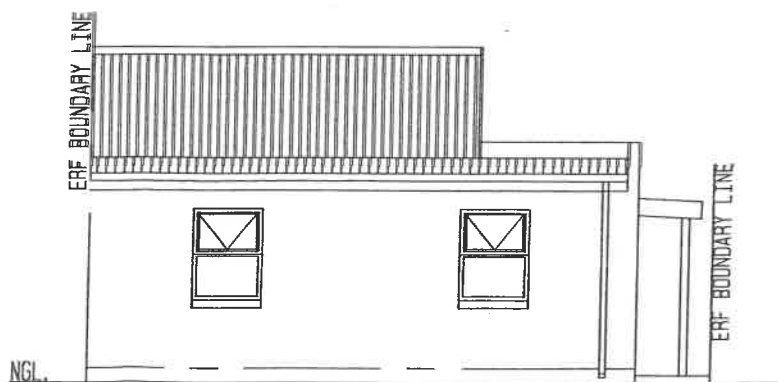


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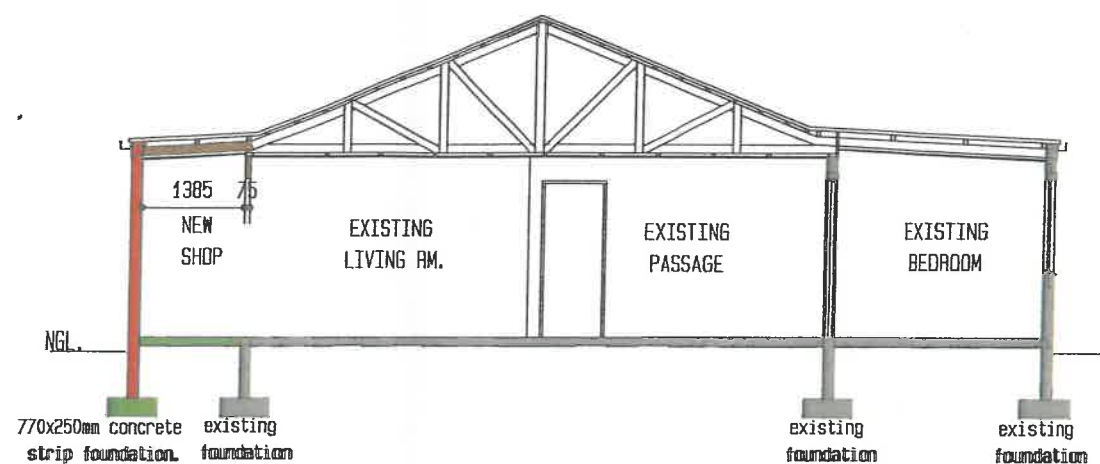
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ification.



1:100 SOUTH ELEVATION



1:100 WEST ELEVATION



1:100 NORTH SECTION ELEVATION

FENESTRATION CALCULATIONS:

Zone 4
U-Value 1.4
SHGC 0.13
Building Orientation N S
(longer axis)

Nett floor area
22.2 x 20/100
20% (glazing) 4.44m²

Fenestration provided
W1x1 - 1.44m²
Total 1.44m²
Comply with the minimum
Energy Performance Requirements

ALLE TEKENINGE EN AFMETINGS MOET NAGESIEN EN VERGELYK WORD VOOR MATERIAAL BESTEL EN ENIGE BOUWERK BEGIN WORD. VERSKILLE MOET DADELIK ONDER DIE AANDAG VAN ARGITEK GEBRING WORD. KOPIEREG WORD VOORBEHOU OP ALLE TEKENINGE EN ONTWERP

ALL DRAWINGS AND DIMENSIONS MUST BE CORRELATED BEFORE ANY MATERIALS ARE ORDERED OR BUILDING WORK COMMENCES. ANY DIFFERENCES MUST BE BROUGHT UNDER THE ATTENTION OF THE ARCHITECT IMMEDIATELY. COPY-RIGHT IS RESERVED ON ALL DRAWINGS ANDDESIGNS

REVISIONS:

REV.	DATE	DESCRIPTION

DEVELOPMENT DATA:	
SITE AREA	116sqm
EXISTING DWELLING	86sqm
NEW SHOP	8sqm
OVERALL TOTAL	94sqm
COVERAGE PER SQM	94sqm
TOTAL COVERAGE	81%

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DRAUGHTING SERVICES

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STELLENBOSCH
7600

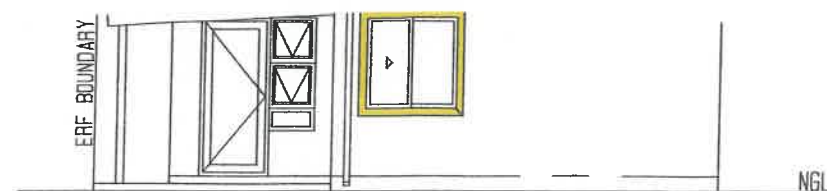
SACAP NO D2280

6.4mm Rhinoboard ceiling boards
fixed to 38x50mm SA pine brandering
at 400mm c/c max. in one direction,
Ceiling painted white.

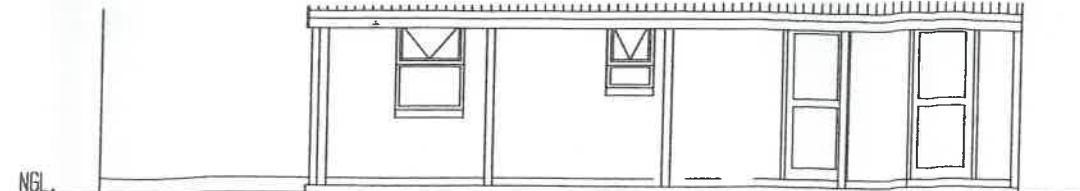
Galv. flashing
and counter-
flashing.

Standard galv. IBR. Single length roofsheets 3 degrees on
76x50mm SA Pine purlins at 1000mm c/c on Sisalation 420
underlay on 152x50mm SA Pine timber beams (grade 6) at
1000mm c/c min. built into wall both sides.
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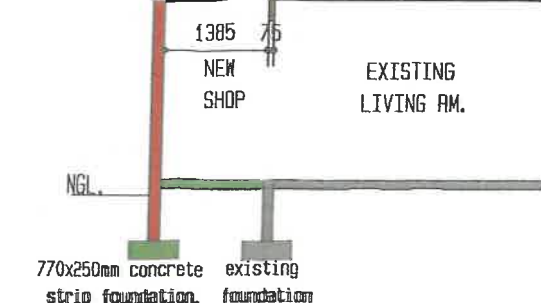
110x75mm PVC gutter fixed
to 225x15mm nutec-cement
fascia board



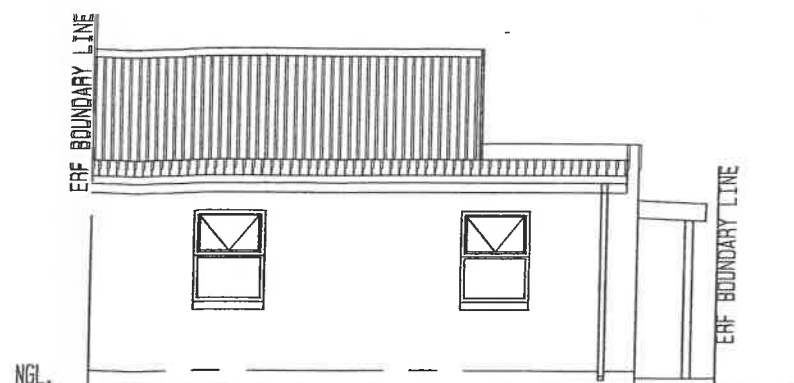
1:100 EAST ELEVATION



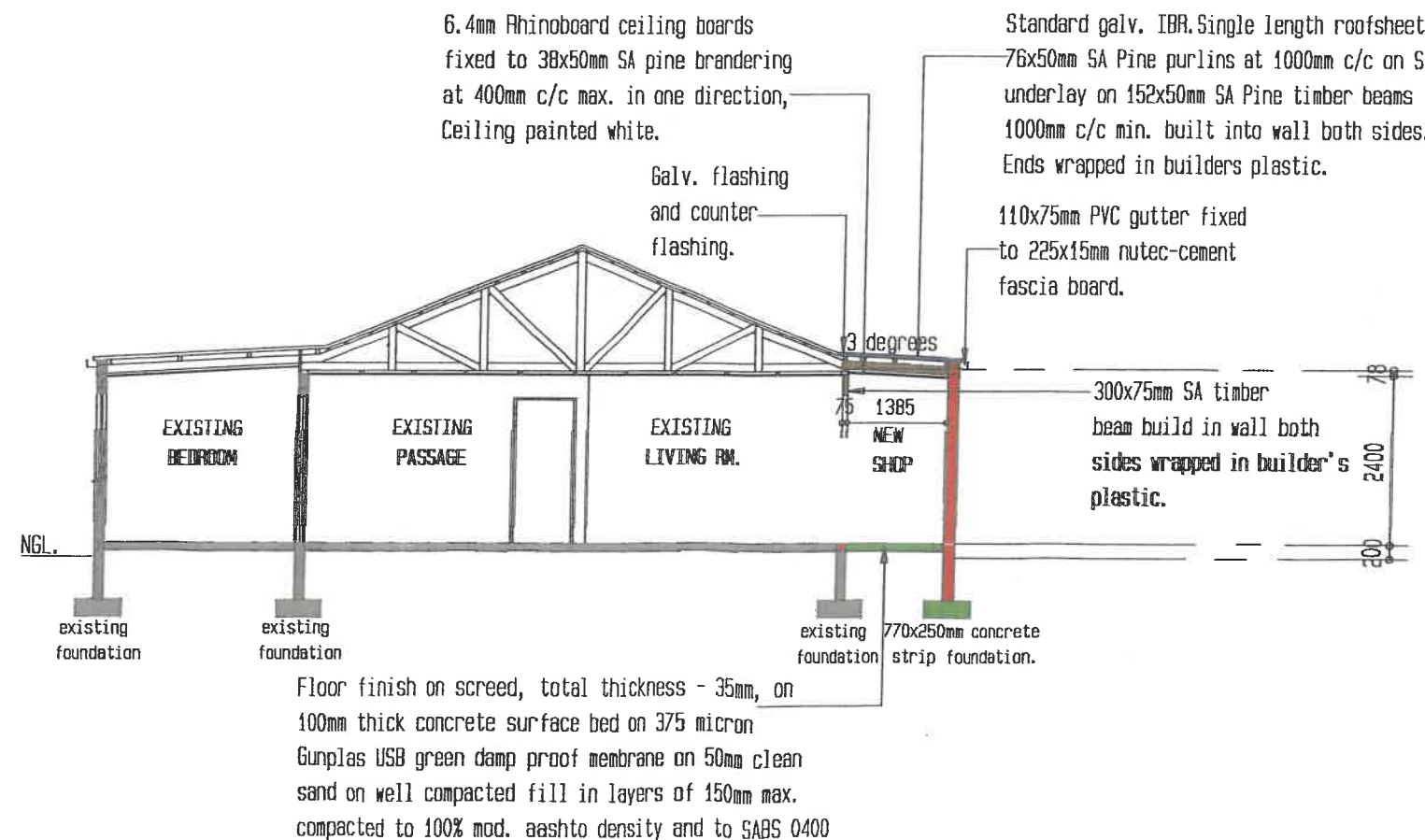
1:100 SOUTH ELEVATION



1:100 NORTH SECTION ELEVATION



1:100 WEST ELEVATION





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Annexure B:

Comments received from
Internal Departments:
(Engineering Services)



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MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Salome Newman
From ▫ Van: Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Xolani Tika
Date ▫ Datum: 27 May 2025
Our Ref ▫ Ons Verw: Civil LU 2891
Town Planning Ref: LU/18494
Re ▫ Insake: Erf 1059, Jamestown: An application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law 2023 for consent use to use a portion of the house for the proposed house shop.

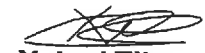
The application is recommended for approval, subject to the following conditions:

1. Delivery vehicles

- 1.1 Care must be taken that delivery vehicles do not obstruct traffic and pedestrian flows in the road. Should this become a problem, this approval may be revoked and the Owner will be required to provide parking space on his erf for delivery vehicles before continuing operations.

2. Parking for customers

- 2.1 This approval is based on the reasoning that customers will mostly walk to the shop, as it provides a service to the surrounding community. Care must be taken that customers do not park in the road and obstruct traffic flows. Should this become a problem, this approval may be revoked and the Owner will be required to provide sufficient parking on his erf before continuing operations.



Xolani Tika
Technician: Development (Infrastructure Services)

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