



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: TP1562/2026

Our File Reference Number: Erf 1006, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 – 808 8682

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

PER E-MAIL:

Sir/Madam

APPLICATION FOR REMOVAL AND SUSPENSION OF RESTRICTIVE TITLE DEED CONDITIONS ON ERF 1006, STELLENBOSCH

1. The above application refers.

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

2.1 That the application in terms of Section 15(2) of the Stellenbosch Bylaw on Municipal Land Use Planning, 2023 on Erf 1006, Stellenbosch.

2.1.1 **Removal of restrictive title deed condition** in terms of Section 15(2)(f) of the said Bylaw, in order to replace the dwelling house roof with a new metal roof sheeting. The restrictive title deed condition (as held on page 5 in the Title Deed No. T061447/2009) to be removed is condition E(d) as follows:

a) Condition E(d) – Geen dak of bouwerk op die erf mag van sinkplaat van enige aard gemaak word nie behalwe as sodanige dak nie van die straat sigbaar is nie. Alle dakke op die erf moet van dieselfde material en konstruksie wees behalwe as die betrokke dak nie van die straat sigbaar is nie.

2.1.2 Suspension of restrictive title deed condition in terms of Section 15(2)(f) of the said Bylaw, in order to increase the coverage from 33.3% to 33.5% and title deed street building lines from 6m to 4m and title deed common building line from 3m to 2.5m to accommodate the proposed extensions. The restrictive title deed conditions (as held

on page 3-4 in the Title Deed No. T061447/2029) to be suspended are condition D.3 (c-d) which reads as follows:

- a) Condition D.3 (c) – Op nie meer as een derde van die oppervlakte daarvan mag gebou word nie.
- b) Condition D.3 (d) – geen gebou of struktuur of enige gedeelte daarvan behalwe grensmure en heinings mag binne 20 voet van die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie, ook nie binne 10 voet van die agtergrens of sygrens van die aangrensende erf nie, met verstande dat 'n buitegebou met die toesemming van die plaaslike owerheid op dievoorgeskrewe ruimte langs die agtergrens, watter hoogte gemeet moet word van die vloer tot die ankerplaat, en mits geen gedeelte daarvan vir bewoningsdoeleindes deur mens aangewend word nie. By konsolidering van enige twee of meer erwe sal hierdie voorwaarde van toepassing wees op die gekonsolideerde gebied as een erf.

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 said Bylaw:

- 3.1 The approval only applies to the applications under consideration and shall not be construed as authority to depart from any other legal prescriptions of requirements from the Municipality or other legislation or By-laws 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 have a bearing on the proposed use.
- 3.3 The development and building plans be generally in accordance with the Site Plan & Floor Plans referenced as Drawing No: HR1006/C/200, Project No. HR1006, dated 2025/12/10 and drawn by Sense Architects (Pty) Ltd, attached as **Annexure A**.
- 3.4 Building Plans must be submitted for all work, as well as changes of use of the existing buildings/structures and which building plan(s) must be approved and related occupancy certificates be issued prior to the vesting of any of the related approvals.

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

- 4.1 The proposed extensions and renovations are residential in nature and consistent with the primary use of the property.
- 4.2 The encroachment of the building lines does not undermine the character of the area due to the use and the small scale thereof.

4.3 The development will not adversely affect neighbours' privacy, amenities or property values.

5. Matters to be noted:

5.1 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 removal of the restrictive conditions.

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:

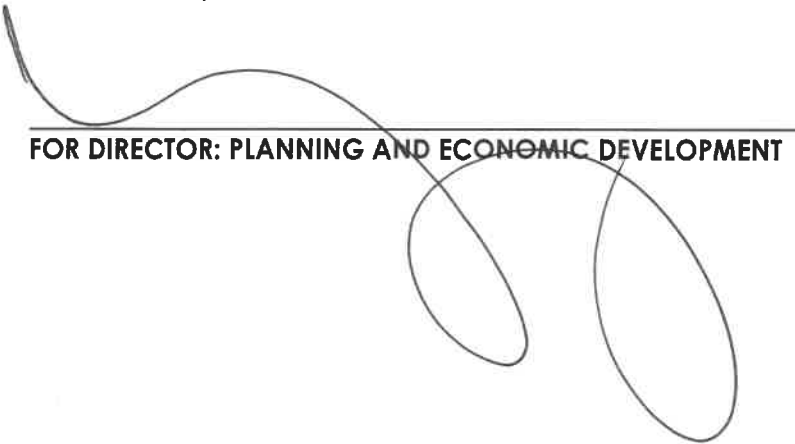
- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.

- (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

11/9/2026.
DATE

ANNEXURE A
SITE DEVELOPMENT PLAN

[illegible]

A. WITTHAM-BORNER • SACAP: MARCH 6/85

ARCHITECT'S SIGNATURE:

OFFICIAL DOCUMENT DATE	NO.	DATE	DESCRIPTION
		1979-12-10	DESIGN

PROJECT TITLE:

**ALTERATIONS TO
EXISTING DWELLING ON
ERF 1006
DALSIG
STELLENBOSCH**

DRAWING TITLE	FLOOR AND ROOF PLAN
---------------	---------------------

PROJECT No.	HR1008	SCALE	As indicated
DRAWING No.	HR1008 /C 2000	DATE:	2025-12-10
REV		DRAWN	CHECKED:
		ASB	BLANK NUMBER

This drawing and all the information contained therein is the property of SENSE Architects (Pty) Ltd and may not be copied or disclosed to a third party without their written consent.

