



STELLENBOSCH

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Application Number: LU/ 15757 / TP408/2023)

Our File Reference Number: Farm No. 74/48 Stellenbosch Division

Your Reference Number:

Enquiries: Ulrich von Molendorff

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PER E-MAIL [REDACTED]

Dear Sir/Madam

APPEAL LODGED IN TERMS OF SECTION 79(2) OF THE STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW: APPLICATION FOR CONSENT USE ON FARM NO. 74/48, STELLENBOSCH DIVISION

1. This Municipality's decision letter dated 3 February 2025, refers.
2. The Appeal Authority resolved on 12 March 2026 that the appeal submitted against the decision of the Authorised Decision-maker of the 3rd of February 2025 to refuse the application **BE DISMISSED**, and that the subject decision **BE CONFIRMED** in terms of Section 81(7)(b) of the Stellenbosch Municipal Land Use Planning By-law as follows:
3. That the application in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-law on Farm No. 74/48, Stellenbosch Division for a consent use to permit a market (farmer's market);

BE REFUSED in terms of Section 60 of the said By-law.

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

- a. The Decision-maker's reasons for refusal of the application are endorsed as the reasons relating directly to the inappropriateness of the proposed market in the proposed location, and the negative impacts that it will have on the character of the rural area and surrounding area in general.
 - b. The proposed market is not directly related to any agricultural activity on the subject property or the surrounding farms. It is therefore considered a commercial market selling non-agricultural goods and commodities rather than a farmers market selling harvested produce originating from the property or surrounding farms. Such a market is considered incompatible with the rural character of the area and rather considered an activity to be accommodated in appropriate urban areas.
 - c. The proposal will not make use of any existing buildings or structures, it is not ancillary to an existing tourist facility, nor will it be located near an existing disturbed or farmyard area. The proposal involves the clearance and use of agricultural land to accommodate the proposed market and associated parking area. The proposal will therefore threaten the agricultural viability of the subject property. The proposal may also result in an unwanted precedent for the establishment of similar urban activities in the rural areas.
5. The appeal process has now been concluded.

Yours faithfully



A large, stylized handwritten signature in black ink, written over a horizontal line.

FOR DIRECTOR: PLANNING AND ECONOMIC DEVELOPMENT



Handwritten date: 8/4/2026.

DATE:

COPIES TO:

