NOTICE OF LAND DEVELOPMENT APPLICATION

Sir / Ms

APPLICATION FOR CONSENT USE – ERF 6252, STELLENBOSCH

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw refers:

Application Property Address: 1 Fisant Street, Stellenbosch

Application Property Number: Erf 6252, Stellenbosch

Applicant: Atlas Town Planning (Pty) Ltd – Mr K Olivier (0834460762 / koos@atlasplanning.co.za)

Owner: Estate of Pieter Johannes Swart - nadia@qualitybookkeeping@gmail.com / 0837164411

Application Reference: LU/TP 1646/2026

Description of land development proposal:

Application is herewith made:

1. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Planning By-Law for **Consent Use** to use the existing dwelling on Erf 6252, Stellenbosch as a commune (4 bedrooms).

Notice is hereby given in terms of the provisions of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address: https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. If the website or documents cannot be accessed, an electronic copy of the application must be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: Mr K Olivier (0834460762 / koos@atlasplanning.co.za). By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of 31 August 2026.

The Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 0834460762 during normal office hours.

Yours faithfully

Mr K Olivier for Atlas Town Planning (Pty) Ltd

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

AANSOEK VIR VERGUNNINGSGEBRUIK – ERF 6252, STELLENBOSCH

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning verwys:

Adres van aansoek eiendom: 1 Fisant Straat, Stellenbosch

Aansoek eiendom beskrywing: Erf 6252, Stellenbosch

Aansoeker: Atlas Town Planning (Pty) Ltd – Mnr K Olivier (0834460762 / koos@atlasplanning.co.za)

Eienaar: Boedel van Pieter Johannes Swart - nadia@qualitybookkeeping@gmail.com / 0837164411
Aansoek Verwysing: LU/TP 1646/2026

Besonderhede van die grondgebruiksaansoek:

Aansoek word hiermee gedoen:

1. Aansoek ingevolge Seksie 15(2)(o) van Stellenbosch se Verordeninge op Grondgebruikbeplanning vir **Vergunningsgebruik** ten einde die woonhuis op Erf 6252, Stellenbosch te gebruik as 'n kommune (4 slaapkamers).

Kennis word hiermee gegee in terme van die voorskrifte van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydsduur van die publieke deelname proses by die volgende adres: https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements. Indien die webtuiste of tersaaklike dokumente nie toeganglik is nie, moet die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van de aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: Mnr K Olivier (0834460762 / koos@atlasplanning.co.za). Deur 'n beswaar, kommentaar of vertoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van 31 Augustus 2026.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 0834460762 gedurende normale kantoor ure.

Die uwe

Mnr K Olivier namens Atlas Town Planning (Pty) Ltd

7 May 2026

Stellenbosch Municipality
Development Management
P.O.Box 17
STELLENBOSCH
7599

ATLAS
Town Planning
Koos Olivier : 083 446 0762
BTech T&RP (CPUT)
• Rezonings & Subdivisions
• Land Use Departures
• Consent Uses
• Site Development Plans
P.O.Box 380
KUILSRIVIER
7579
Tel : 021 801 7446
Fax : 086 668 5601
E-mail: koos@atlasplanning.co.za

Attention: Mr Robert Fooy

APPLICATION FOR CONSENT USE – ERF 6252, STELLENBOSCH

Our previous discussions and e-mail correspondence in the above regard, have reference.

The subject property accommodates a conventional residential dwelling. The Stellenbosch Zoning Scheme provides for a “Commune” as a specific land use and it is the intention to obtain the necessary approvals to permit the said use. No structural changes are proposed and the use will remain residential. The scale of the proposed “commune” will be limited to 5 students in the existing 4 bedrooms on the property, a similar size of a conventional family.

It trusted that the application will meet the department's requirements and that it will therefore enjoy the necessary support. I would like to extend a friendly invitation to not hesitate contacting me should there be any enquiries or should more information be required.

Your's truly

Koos Olivier
ATLAS TOWN PLANNING

Application for consent use – Erf 6252, Stellenbosch

1 Background

The subject property is Erf 6252, Stellenbosch located at 1 Fisant Street in the Onder Papegaaiberg neighbourhood. The property accommodates a large residence with outbuilding. It was the intention to sectionalise the property during 2011. The sectional plans were approved by the Surveyor General but the scheme was never registered. The property was always used for conventional residential use, but more recently to provide housing for amongst others students and young professionals working in the town.

It is the intention to use the entire dwelling as a "commune". No structural changes are required. The building will therefore retain the appearance of a conventional dwelling and the use can revert back to that of a conventional dwelling should the need arise.

2. Property Details

Erf / Farm No.	Erf 6252, Stellenbosch, Stellenbosch Municipality, Division Stellenbosch, Western Cape Province.
Owner	Estate of the late Pieter Johannes Swart
Title Deed No.	T14812/1979
Title Deed Restrictions	None
Size	1028m²
Zoning	Conventional Residential Zone
Current Use	Residential

3. Application

ATLAS Town Planning was requested to prepare a land use application to obtain planning permission to permit a "commune" on Erf 6252, Stellenbosch.

Application is herewith made:

i) In terms of Section 15(2)(o) of the Stellenbosch Municipality Planning By-Law for consent use (Commune);

4. Locality

The subject property is located at 1 Fisant Street, Onder Papegaaiberg, Stellenbosch. The particular neighbourhood is located approximately 2-3km from central Stellenbosch and still very accessible for boarders' intent on studying or working in Stellenbosch and surrounds. It should be noted that tertiary facilities in Stellenbosch are not confined to the main campus of the university. Nearby facilities include Oxbridge Academy as well as tertiary institutions at Bosman's crossing being Belgium Campus iTversity and IMM Gradute School to name a few. The property is located on the corner of Fisant & Jan Frederik Streets directly opposite a public open space.

5. Existing land use and zoning

Erf 6252, Stellenbosch is zoned as Conventional Residential Use and contains a large dwelling and outbuilding. The current use is residential. As stated, sectional plans were approved during 2011 but the scheme never registered.

6. Physical characteristics

The subject property accommodates the large residence with outbuildings and carports / lean-tos. The site is generally flat, but slopes from North to South. The erf is connected to the municipal services network. The property is fenced on all sides with mature trees and shrubs along the street frontages of both Fisant and Jan Frederik Streets. Ample on-site parking is available for a commune of this scale.

7. Surrounding land uses

The subject property is located in a conventional residential suburb. The erf borders onto residential erven on the northern and eastern boundaries. A well-developed public open space is located directly opposite Jan Frederik Street.

7. Forward planning policies / objectives

The Stellenbosch Municipal Spatial Development Framework applies to this area. The property is situated within the town of Stellenbosch's urban edge and acknowledged as an existing "Urban Area".

At this scale, the application is not believed to have any material impact on the relevant forward planning policies and objectives. The particular application does not involve any formal development and merely refers to a proposed change of use from that of a conventional family to short term rental at a similar scale contained within an existing residence. The MSDF acknowledges that ***"there appears to be significant demand for student housing and affordable housing for employed, lower and middle income groups"*** and the application is not deemed to be inconsistent with the objectives of the said policy.

8. Legal aspects

Land Use applications are dealt with in accordance with the Land Use Planning Act (Act 3 of 2014), the Spatial Planning and Land Use Management Act of 2013 and consequent Municipal Planning By-Laws. Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipality Municipal Planning By-Law.

The application does not trigger listed activities in terms of the National Environmental Management Act (Act 107/1998) or the National Heritage Resources Act (Act 25 of 1999).

9. <u>Development Proposal</u>

Erf 6252, Stellenbosch accommodates a large residence containing 4 bedrooms, 2 bathrooms (one being en-suite), kitchen, dining room, living room, study and a hobby room. The dwelling and outbuilding (garage with domestic quarters) was developed on this property measuring more than 1000m². Adequate on-site parking is available for 9 vehicles.

It is the intention to merely obtain planning approval for the use of this dwelling as a "commune" accommodating 5 boarders - 1 per standard bedroom and 2 boarders in the main bedroom with en-suite. No structural changes are required and the general

appearance of the dwelling will not change at all.

The following extracts from the Stellenbosch Zoning Scheme pertaining to the **Conventional Residential Zone** is relevant to this application:

The following land uses are permitted in this zone:

Primary Uses	Additional Uses (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (application required)
• Dwelling house	• Bed and breakfast establishment • Home day care Centre • Home occupation practice • Home lodging • Second dwelling • Occasional use (one event/year) • Private road	• Commune • Extramural facility • Group housing • Guest house • House shop • Occasional use (>one event/year) • Tourist dwelling unit • Additional uses exceeding parameters in this chapter

- A commune is permitted with the consent of the municipality
- A commune shall be conducted from a dwelling house and the total extent of buildings on the land unit shall not exceed the scale of a dwelling house and shall be capable of reverting back to normal use as a dwelling house
- The municipality shall impose conditions which restrict the number of bedrooms used, not exceeding eight bedrooms and with due consideration of the required on-site parking
- 1 on-site parking bay required per bedroom
- The municipality may impose conditions required to mitigate the potential impact of the commune on adjoining properties

*"A **"commune" (kommune)** means the use of the entire dwelling house, a second dwelling if one is built on the same land unit or dwelling unit in flats for the accommodation of **boarders.** A dwelling unit is used for a commune if the dwelling house, second dwelling or dwelling unit in flats is not occupied by a family as defined. The accommodation may be rented to boarders furnished or unfurnished. In the case of a dwelling house or second dwelling, the scale of anyone building may not exceed that of a dwelling house which would ordinarily accommodate one family and must be able to revert to a dwelling house. Boarders may make use of the dwelling unit's kitchen facilities and separate kitchens may not be installed for each room in*

contravention of the permitted number of dwelling units in the zone. At least one communal bathroom, kitchen and lounge/eating area shall be provided for boarders on in each dwelling unit on the land unit.

*A **"boarder" (loseerder)** means a person receiving accommodation against payment of home lodging in a dwelling unit, a commune or hostel, where the accommodation is provided on a month-to-month basis for periods of at least 30 days, but may be longer, and where such accommodation could be regarded as the residence of the boarder for that period."*

It is evident that the proposed facility can comply with the general requirements. The scale of the facility too would not differ materially from that of a conventional dwelling for one family. It is accepted that the demeanour of students / young professionals may differ from that of a conventional family, but conditions may be imposed to mitigate potential impact of the facility. The subject property is a corner stand and as such has essentially two directly abutting neighbours. It is advised that any outdoor recreational activities be directed towards the public open space.

Criteria for the evaluation of Land Use Applications

The general criteria for the evaluation of land use applications are contained in Section 99 of the City of Cape Town Municipal Planning By-Law of 2015 (as amended). These criteria are generally aligned with the provisions of the Spatial Planning and Land Use Management Act (Act 16 of 2013), particularly Section 7 of the Act, as well as the Western Cape Land Use Planning Act (Act 3 of 2014), particularly Section 59. The following criteria are relevant to this application.

4.1 Socio - Economic Impact

The proposed commune remains a residential use and at the particular scale, the use is not deemed to be very much different than occupation of the dwelling by a conventional family. The leasing of the property to boarders on a short-term basis is likely to maximise the rental potential. The sharing of the facility reduces costs with the added benefit of social interaction for the students and young professionals occupying the facility.

Overcrowding, parking congestion in the street and excessive noise pollution may negatively impact on neighbours and result in a lack of privacy should this not be regulated. The proposed facility is deemed smale scale with more than adequate provision for on-site parking. The socio and economic benefits are deemed to be evenly matched. A well-regulated commune can function as an affordable housing solution and it is believed that approval of this application will have a positive socio-economic impact.

4.2 Compatibility with surrounding land uses

Erf 6252, Stellenbosch is located in a conventional residential neighbourhood. The property is a corner stand which overlooks onto a well-established public park. As such, the erf is not embezzled in-between other residential properties and effectively shares a common boundary with two of the directly abutting erven.

The size of these properties and scale of the facility will not negatively impact on surrounding land uses. Approval of this application will result in the property being occupied by 5 persons, similar to that of a conventional dwelling. The opinion is held that conditions can be imposed if deemed necessary to mitigate potential impacts on directly abutting neighbours in particular.

4.3 Impact on external engineering services

The subject property is not connected to the municipal network. No structural changes are proposed whilst the use will remain residential and at a similar scale to that of a conventional dwelling. No problems are foreseen with bulk water and reticulation, sewer reticulation, storm water and electricity services.

4.4 Impact on safety, health and well-being of surrounding community

Due to the size of the properties, residential dwellings are generally positioned some distance apart. Onder Papegaaiberg is an older residential neighbourhood with established trees and vegetation. The large stands and generally lush vegetation create privacy and mitigates noise impacts arising from activities on the respective properties. At this scale, approval of this application will not have any negative impact on the safety, health or general well-being of the surrounding community.

4.5 Impact on heritage

The application does not trigger any of the listed activities in terms of the National Heritage Resources Act (Act 25 of 1999). The application is also not believed to have any other heritage impact.

4.6 Impact on the biophysical environment

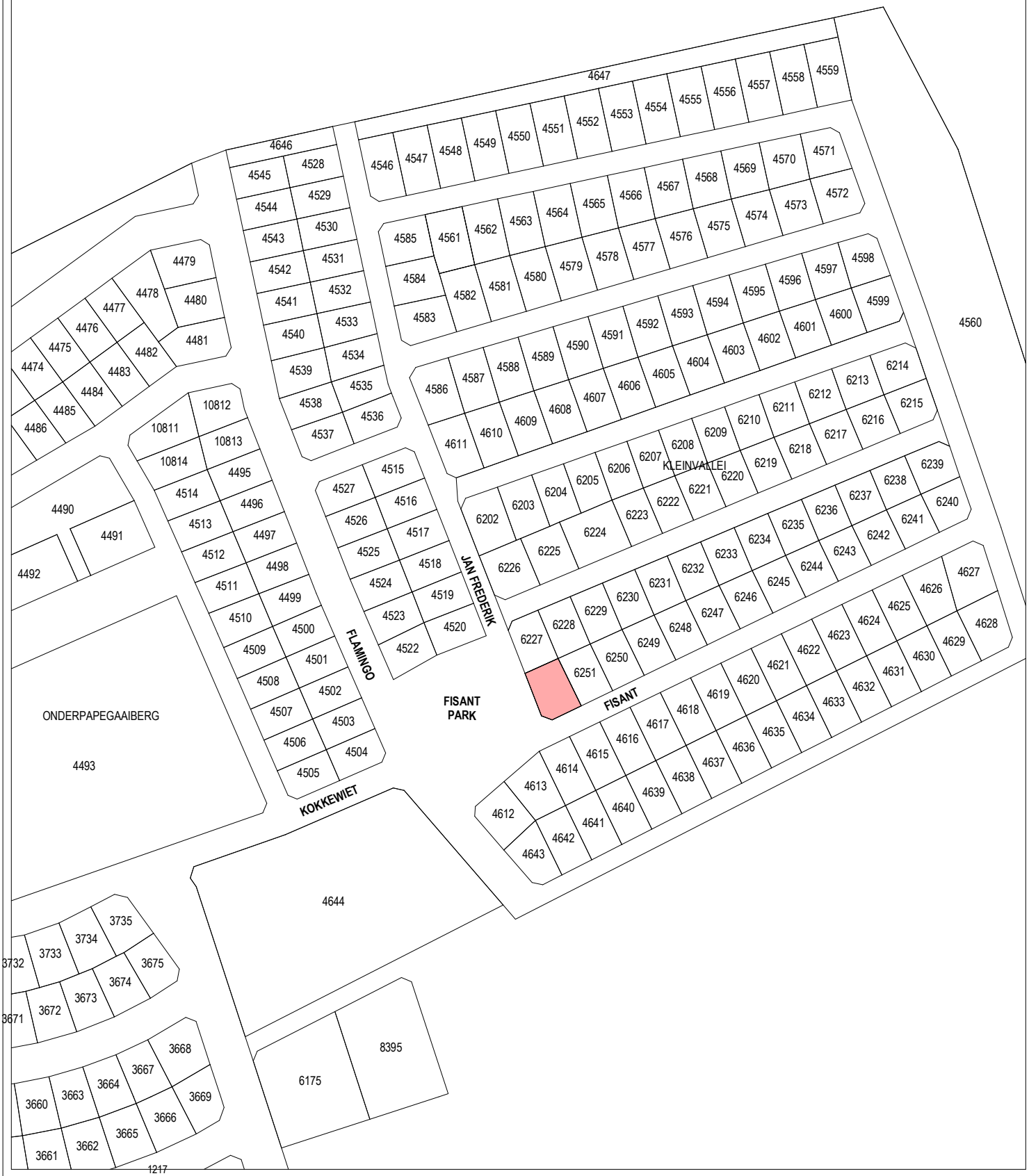
The application relates to a proposed change of use and no structural changes are proposed. The property is fully developed, including on-site parking required to accommodate the facility. Approval of this application will not have any negative impact on the biophysical environment.

4.7 Traffic impacts, parking, access and other transport related considerations

The subject property is located in a low-density neighbourhood located +/- 2–3km from central Stellenbosch. The area is served by a well-developed street network and residents generally make use of private transport. Public transport generally operates along Adam Tas Road and hence alternative transport would be in the form of e-hauling services. It is envisaged that boarders would generally make use of private vehicles though, but the impacts on the road network is negligible at this scale. The Stellenbosch Zoning Scheme requires on-site parking at a ratio of 1 parking per bedroom. The subject property can accommodate double this requirement and hence no problems are foreseen in terms of on-site parking or traffic.

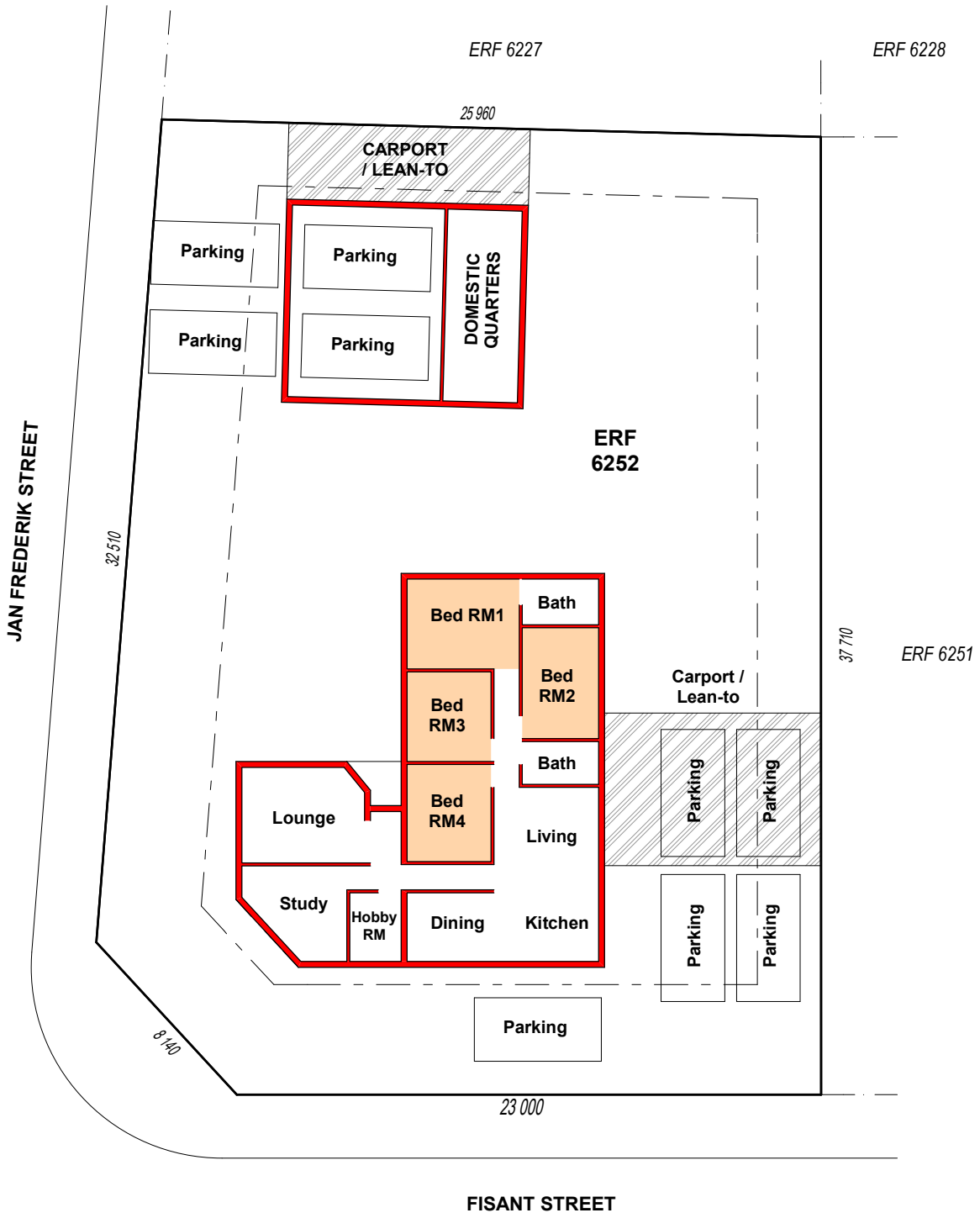
5. Conclusion

Erf 6252, Stellenbosch is zoned for residential use. The application intends to obtain planning permission for the use of this property as a “Commune”. The scale of the proposed facility is deemed to be similar to that of a conventional family. The general appearance of the dwelling will remain unchanged whilst adequate off-street parking can be provided. The proposal is not deemed to be inconsistent with any of the municipality’s approved policies. A well-regulated commune is not expected to have any negative impacts on surrounding land uses and it is trusted that the application will receive the necessary support.



PLAN: LOCALITY	**PROPOSED CONSENT USE TO PERMIT COMMUNE ON ERF 6252, STELLENBSOCH**
DATE: APRIL 2026	**N.T.S.**
CLIENT: SWART / ENGELBRECHT	N

ATLAS TOWN PLANNING



PARKING REQUIREMENTS:

1 PARKING/BED RM = 4 PARKINGS

PARKING PROVIDED = 9 PARKINGS

Note:
All distances and areas approximate and subject to formal survey.

PLAN: STELL6252/SDP/APRIL2026/1	**PROPOSED CONSENT USE TO PERMIT COMMUNE ON ERF 6252, STELLENBSOCH**	**SCALE 1 : 200 @A4**	N
DATE: APRIL 2026			
CLIENT: SWART / ENGELBRECHT		ATLAS Town Planning P.O. BOX 380, KUILSRIVIER, 7579 (021) 8017446	