

NOTICE OF LAND DEVELOPMENT APPLICATION

AFFECTED PARTY WITH ADDRESS

To Whom It May Concern

APPLICATION FOR CONSENT USE: PORTION 20 OF FARM NO. 1646 PAARL

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

Application Property Address: Portion 20 of Farm No. 1646 Paarl

Application Property Number: Portion 20 of Farm No. 1646 Paarl

Applicant: P-J le Roux Town Planners Pty Ltd (pj@pjleroux.co.za – 0760317607)

Owner: The River Farm Trust

Application Reference: TP1373/2025

Description of land development proposal:

Application is made for the following:

*(i) In terms of **Section 15(2)(h)** of the Stellenbosch Municipality Land Use Planning By-Law, 2023 for the following:*

1. Consent Use in terms of Section 15(2)(o) of said By-Law in order to permit the following:

- a. 1 x additional dwelling unit (ground floor)*
- b. To utilize the additional dwelling units and first floor of the outbuilding as two (2) tourist dwelling units*

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: P-J le Roux Town Planners Pty Ltd pj@pjlroux.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 **(20 JULY 2026 – 30 day notice period must exclude the first day on which the notice was served and include the last day, save for when the last day falls on a weekend day, in which case the closing date will be considered the following Monday, or if the closing day falls on a public holiday, in which case the closing date will fall on the next normal working day).**

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 (0760317607) during normal office hours.

Yours faithfully

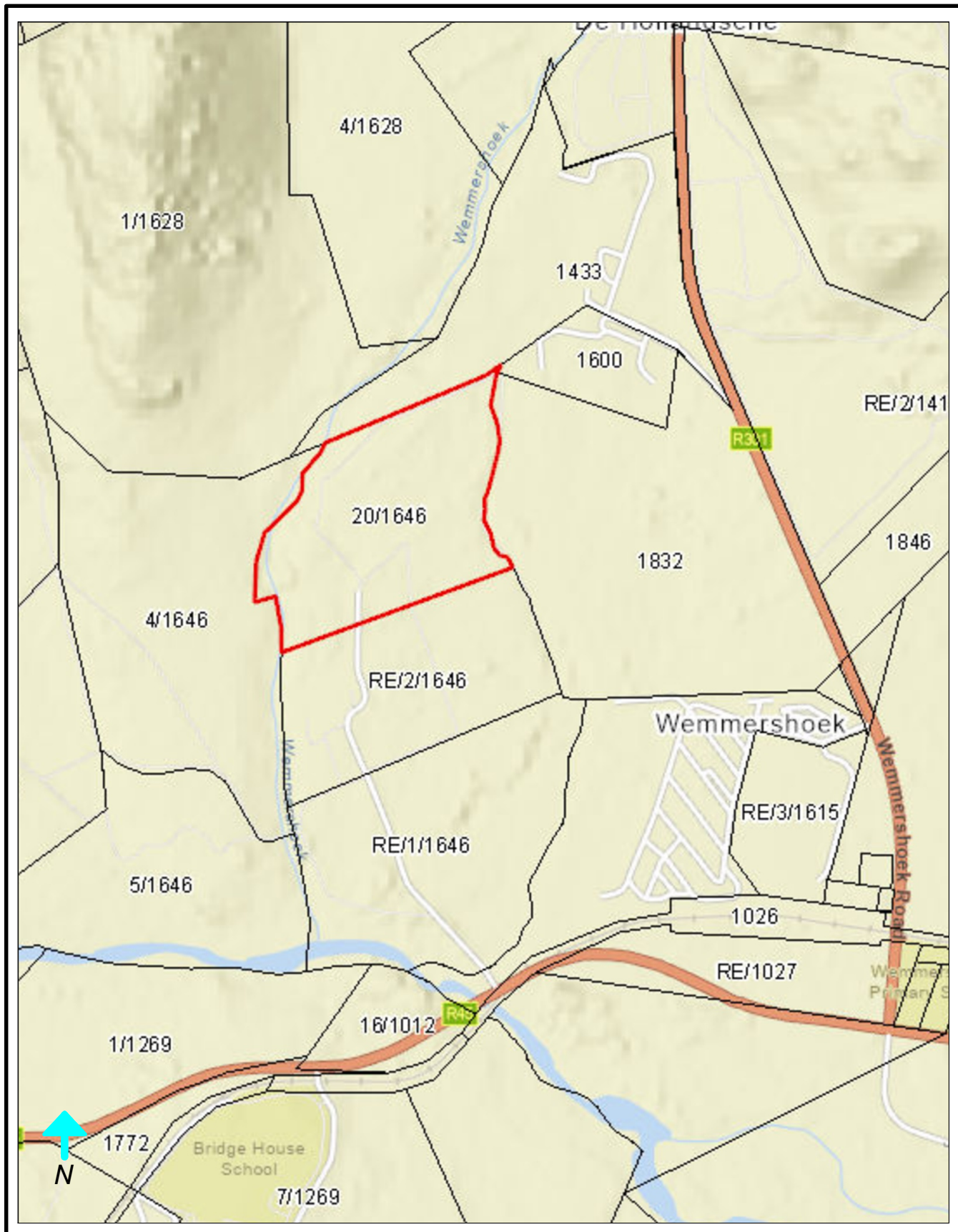
Pierre-Jean le Roux

Pr. Pln A/803/1995

Ba Hons, M (TRP)
(MSAPI)

Email: pj@pjlroux.co.za / Cell No: 0760317607





P-J Le Roux
STADS-EN STREEKBEPLANNER/
TOWN AND REGIONAL PLANNER
Hoofstraat 262 Main Road, Paarl
(t) 021-8722499 (f) 086 605 8431
(email) pj@pjleroux.co.za

Project:
Application for
Consent Use:
Portion 20 of Farm
No. 1646
Paarl

Description:
Locality Plan

RIVERS FARM

Skaal	1:50 000	Leer nr.	V 30-154
Teken	PJLR	Datum	SEPTEMBER 2025
Keur	PJLR	Tekening nr.	1



*Application for
Consent Use & Site-Specific Motivation:
Portion 20 of Farm 1646 Paarl*

September 2025

V 30-154



P-J le Roux

Stads-en Streekbeplanners/
Town and Regional Planners

Hoofstraat 262 Main Road Paarl
(Ph) 021-8722499 (Cell) 076 031 7607
(email) pj@pjleroux.co.za

INDEX

- 1. Introduction**
 - 1.1. Application
 - 1.2. Applicant
- 2. Property Information**
- 3. Locality**
- 4. Legal Land Use Rights**
 - 4.1. Existing zoning
 - 4.2. Existing land uses
- 5. Proposal**
- 6. Application**
- 7. Spatial Planning Principles**
- 8. Desirability**
 - 8.1. Physical characteristics
 - 8.2. Character of the area
 - 8.3. Accessibility
 - 8.4. Spatial Planning & Site-Specific Motivation
 - 8.5. Provision of services
- 9. Summary and Conclusion**



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

Plans

1. Locality Plan
2. Aerial Plan
3. Site Development Plan
4. SG Diagram

Tables:

1. Property Information
2. Extract from Stellenbosch Municipality Zoning Scheme By-Law, 2023

Figures:

1. Locality
2. SG Diagram Portion 20 of Farm 1646 Paarl
3. Site Locality with existing buildings and land uses
4. SG diagram of Farm 1/1646 with servitude in red
5. Servitude diagram of Farm 2/1646 with servitude in red
6. Extract from Zoning Map for Stellenbosch "Rural 2"
7. Aerial view of location of the existing buildings
8. Extract from Stellenbosch Municipality Spatial Development Framework, 2019

Annexure

1. Power of Attorney
2. Company Resolution
3. Title Deed
4. Water rights
5. Eskom Account
6. Pre-consultation with Stellenbosch Municipality
7. Application Form



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

1. INTRODUCTION

1.1. Application

With this document formal application is made for the following:

- (i) In terms of **Section 15(2)(o)** of the Stellenbosch Municipality: Land Use Planning By-Law, 2023 for the following **CONSENT USES** on Portion 20 of Farm No. 1646 Paarl:
 - **1 x Additional dwelling unit** (ground floor of existing outbuilding)
 - **Tourist accommodation establishment** (first floor unit of existing outbuilding and ground floor additional dwelling unit)
- (ii) **MOTIVATION FOR SITE-SPECIFIC CIRCUMSTANCES** in terms of Section 22(2) of the Spatial Planning and Land Use Management Act (Act 16 of 2013)

Details regarding the proposal will be discussed in Section 5 and 6 of this report.

1.2. Applicant

JONATHAN SCHRIRE as Trustee and duly authorized by **THE RIVER FARM TRUST** as owners of Portion 2 of the Farm 1646 Paarl, appointed this firm *P-J le Roux Town Planners (Pty) Ltd*, to prepare a formal application for consent use on the subject land unit and to submit it to the relevant authorities for formal approval (***Power of Attorney and Trust Resolution attached***).



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

2. PROPERTY INFORMATION

Description	PORTION 20 OF FARM 1646 PAARL
Location	R45 approximately 10km southeast of Simondium
Extent	22,0925ha
Registered Owner	THE RIVER FARM TRUST (See <i>Power of Attorney and Trust Resolution</i>)
Title Deed	T20294/2011 (Copy of Title Deed attached)
Existing Zoning	Agriculture & Rural Zone
Restrictive Conditions	None
Planning Legislation	Stellenbosch Municipality: Zoning Scheme By-Law (2023) Stellenbosch Municipality: Land Use Planning By-Law (2023)

Table 1: Property Information

The subject land unit is situated in the Groot Drakenstein area approximately 10km southeast of Simondium along Main Road 191 (R45) and falls in the jurisdiction of the Stellenbosch Municipality, Western Cape Province.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

3. LOCALITY

Portion 20 of the Farm 1646 Paarl, which is subject of this application, is a compilation of Portion 3 of Farm No. 1646 and Portion 19 of Farm No. 1646 Paarl and forms part of the Two Rivers Farms situated north along Main Road 191 (R45) between Simondium and Franschhoek.

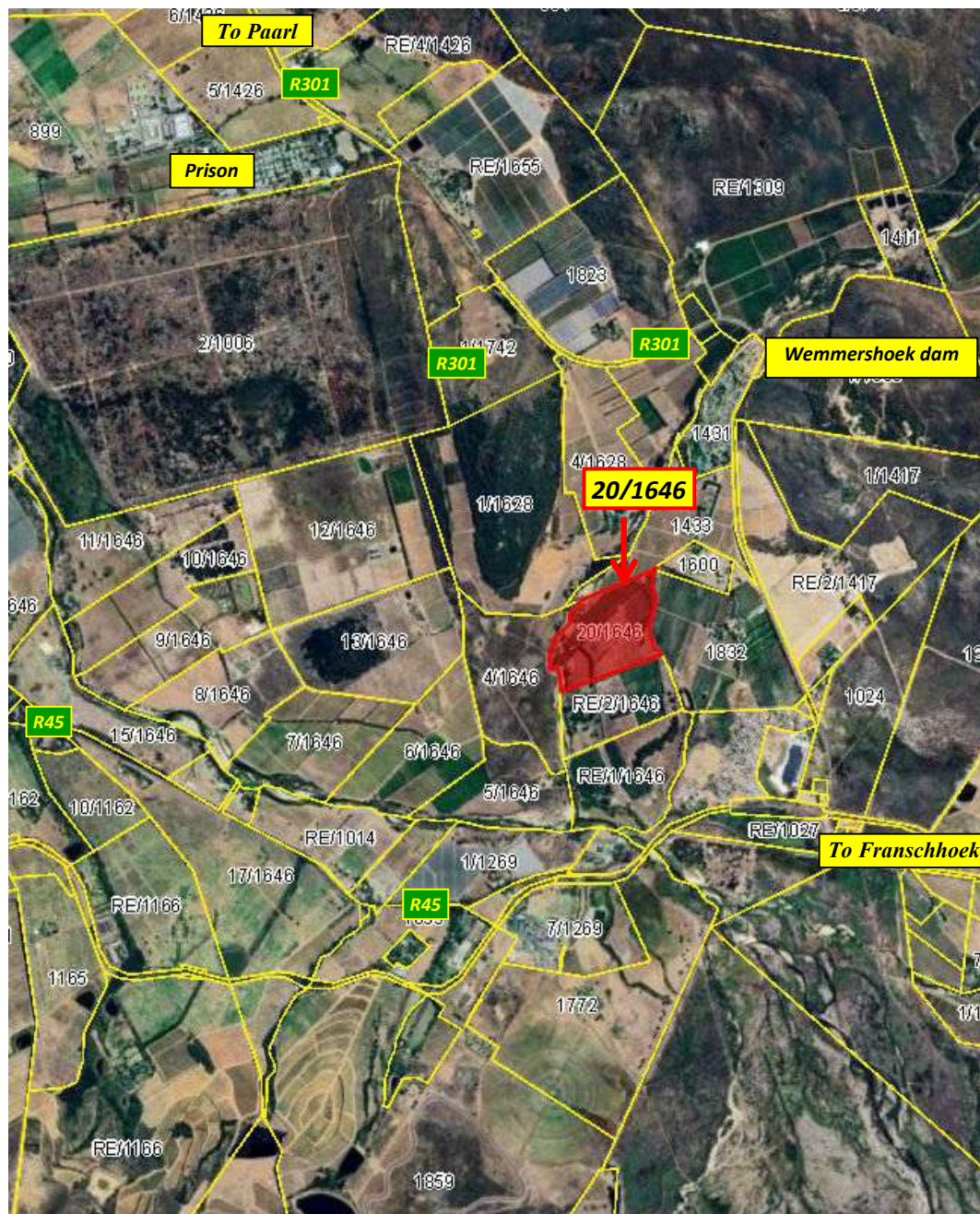


Fig. 1: Locality



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

The subject land unit has almost a square configuration and is surrounded by agricultural land units almost similar in size and scale. The Wemmershoek River traverses the subject land unit along the western side. Almost 69% of the subject land unit is cultivated with 5 existing buildings on the land unit (will be discussed in detail later in this report).

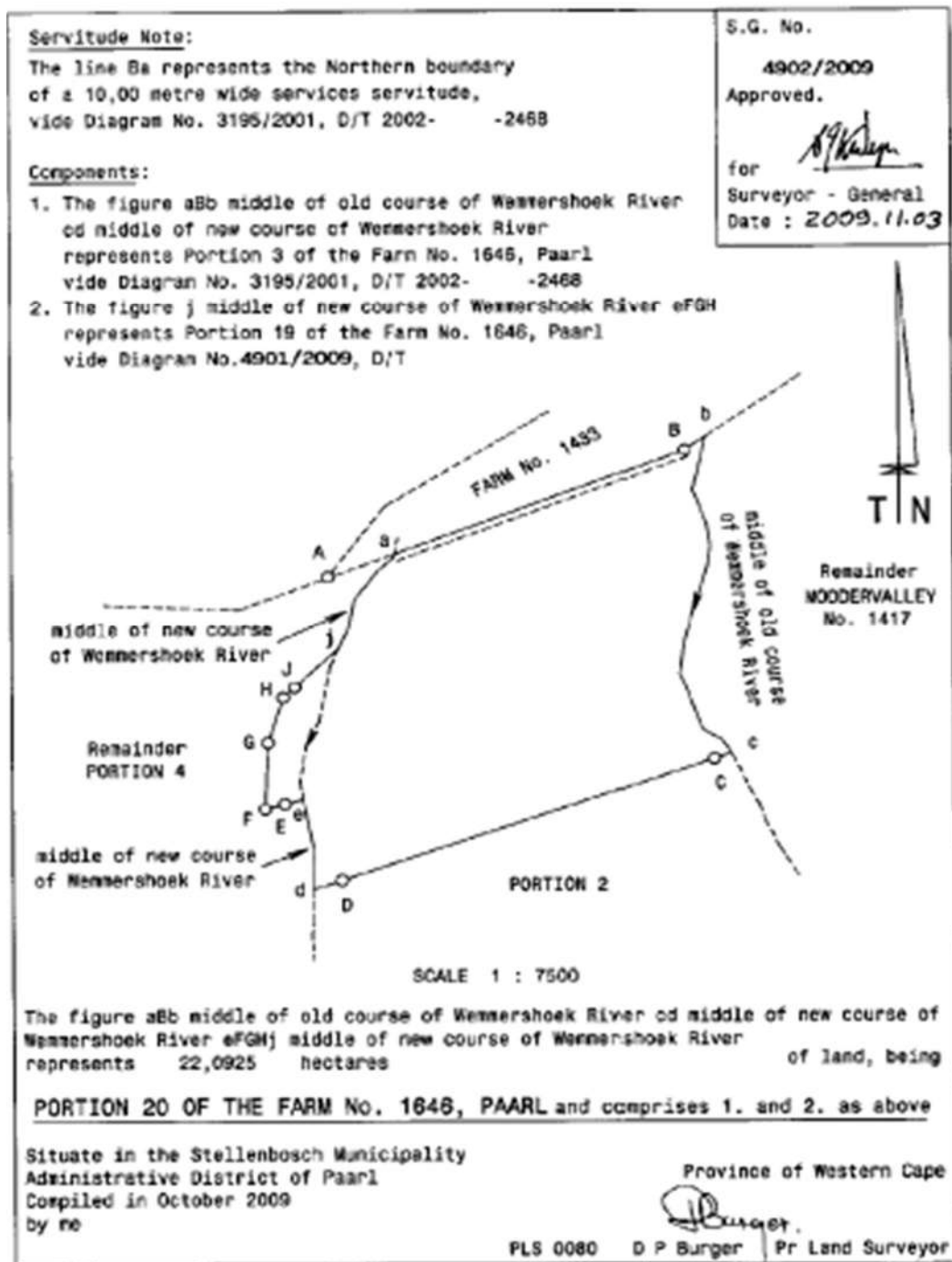


Fig. 2: SG Diagram Portion 20 of Farm 1646 Paarl



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

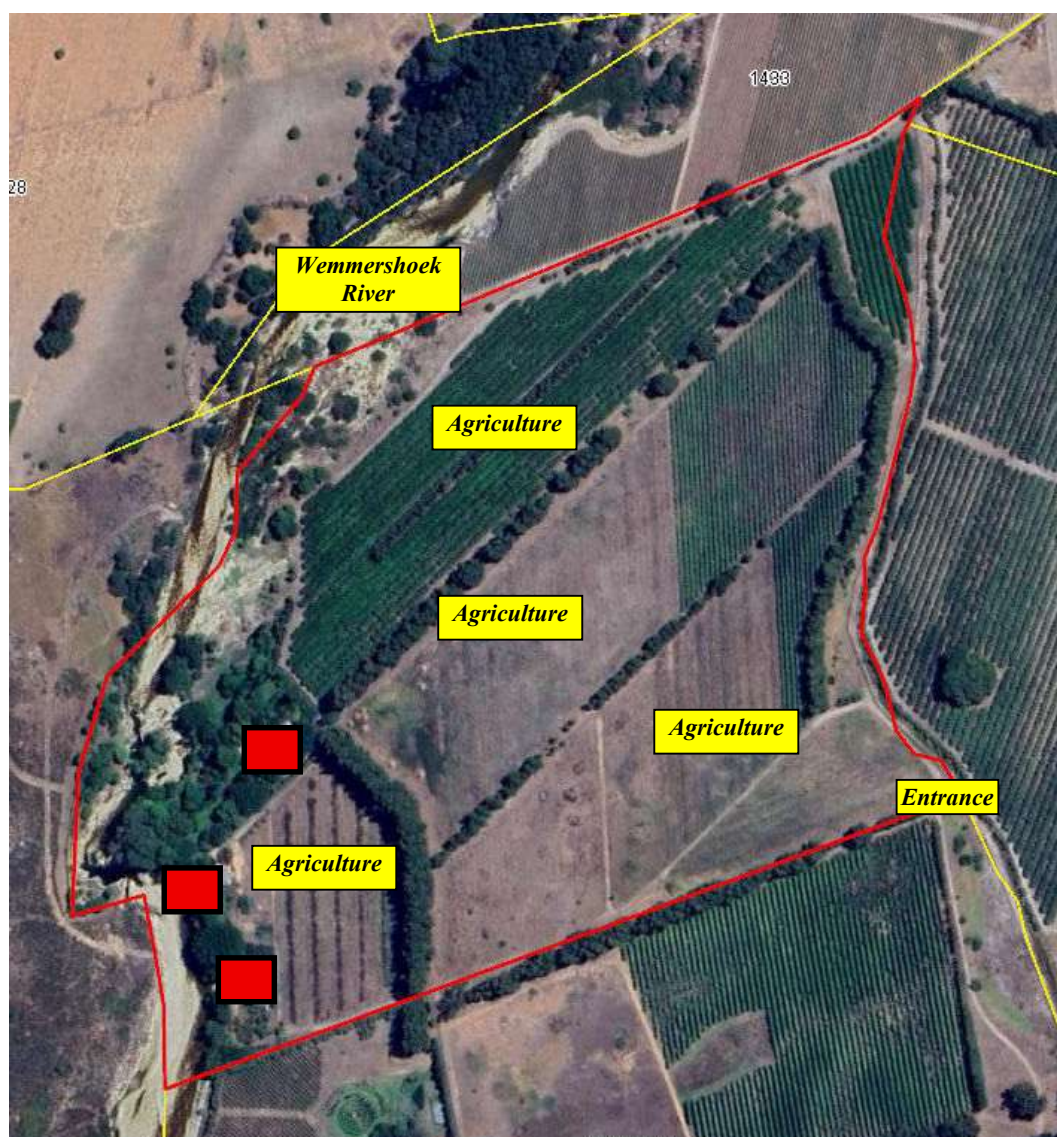


Fig. 3: Site Locality with existing buildings and land uses

Access to the subject land unit is taken via an existing servitude right of way 4m wide over Portion 1 of Farm No. 1646 that links with the servitude right of way over Portion 2 of the Farm No. 1646 Paarl as clearly depicted in the Servitude diagrams in figure 4 & 5 below.

These servitudes right of way run along the southern and eastern boundaries of both Portion 1 and Portion 2 of Farm No. 1646 Paarl and intersects with another servitude and eventually Main Road 191 (R45) east of the bridge over the Berg River.



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

Fig. 4: SG diagram of Farm 1/1646 with servitude in red

Fig. 5: Servitude diagram of Farm 2/1646 with servitude in red





Access onto servitude road from MR191 (R45)



Servitude road over Portion 1 of Farm 1646 Paarl



Servitude road over Portion 2 of Farm No. 1646 Paarl



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

4. LEGAL LAND USE RIGHTS

4.1. Existing zoning

The subject property is zoned in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2023, and as depicted on the extract of the zoning map (*Fig. 3 below*) that **Portion 20 of the Farm 1646 Paarl** is zoned **“Agriculture and Rural Zone”**. According to this By-Law, the land uses permitted within an Agriculture and Rural Zone is tabulated below:

Primary Uses	Additional Uses (not exceeding the threshold in this chapter and subject to technical approval)	Consent Uses (Application required)
<ul style="list-style-type: none"> • Agricultural building (<2000m²) • Agriculture • Dwelling House • Forestry • Natural environment • Occasional use (one event/year) • Private road • Polytunnel (<2000m²) • Second dwelling • Employee housing (one unit) 	<ul style="list-style-type: none"> • Agricultural building (>2000m²) • Agricultural industry (<2000m²) • Bed and Breakfast establishment • Employee housing (exceeding one unit) • Guest House • Home day care centre • Home occupation practice • Polytunnel >2001m²- <5000m² • Rooftop base telecommunication station • Tourist dwelling units • Tourist facilities (existing buildings) 	<ul style="list-style-type: none"> • Abattoir • Additional dwelling units (max 4) • Airfield • Airstrip • Agricultural industry >2000m² • Camping site • Day care centre • Freestanding base telecommunication station • Helicopter landing pad • Intensive feed farming • Kennel • Market • Occasional use (> one event/year) • Plant nursery • Polytunnel >5000m² • Renewable energy structure • Service trade • Tourist accommodation establishment • Tourist facility (new buildings or exceeding threshold) • Any additional use exceeding the threshold set out in this chapter

Table 2: Extract from Stellenbosch Municipality Zoning Scheme By-Law (2023)



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

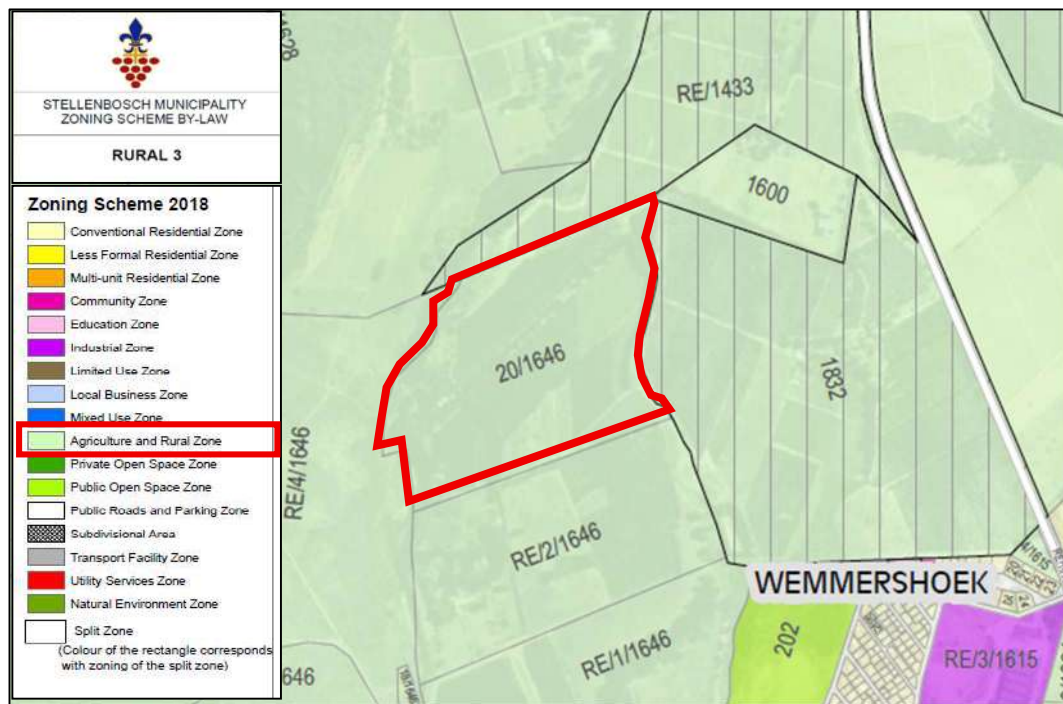


Fig. 6: Extract from Zoning Map for Stellenbosch "Rural 2"

4.2. Existing land uses

The subject land unit is an active agricultural land unit which comprises the following improvements:

- **Buildings:** The following buildings are currently located on the subject property:
 - Main dwelling (primary right)
 - Second dwelling (primary right)
 - **Existing and approved outbuilding (subject of this application)**
 - Shed (primary right)
 - Employee house with shed (primary rights)

These buildings are all within walking distance from each other and positioned on the western side of the land unit near the Wemmershoek River. All the buildings are located on the 170m contour level which is more



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

than 5m above the river and set back more than 30m from the river. It is worth noting that the existing buildings are grouped in three nodes, with the main dwelling, outbuilding and shed in one node, the second dwelling on its own approximately 50m away and the employee house and other shed another 60m.

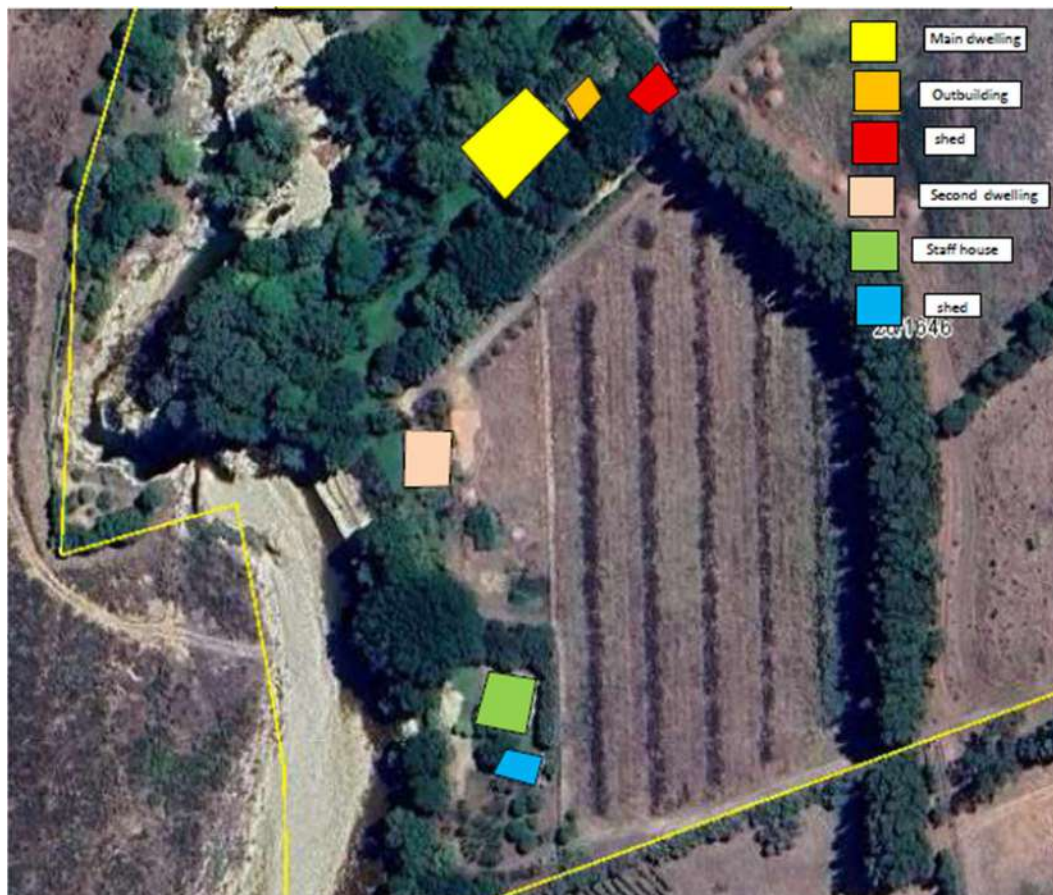


Fig. 7: Aerial view of location of the existing buildings



Main dwelling



Outbuilding



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025



Shed near main house



Second dwelling



Employee house



Shed near employee house

- The **agriculture** crops on the subject land unit comprises 15ha of existing cultivated crops that include plums, clementines and lemons. These crops represent approximately 69% of the total property size. Irrigation water is obtained from the Berg River Irrigation Board with an annual allocation from the Wemmershoek River of 17,6Kl (copy of invoice attached).



Existing orchards



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

5. PROPOSAL

The objective with this application is to regularise the use of the existing double storey outbuilding for tourist accommodation purposes. **IT IS WORTH NOTING THAT THE INTENTION IS ONLY TO ACCOMMODATE FAMILY AND FRIENDS AND NO PAYING GUEST WILL BE ACCOMMODATED.**

The existing outbuilding is a double storey structure that accommodates one guest unit on the ground floor and first floor respectively. These two guest units are not interlinked and access to the first-floor guest unit is taken from an outside staircase, which makes it theoretically two units.



Front view of outbuilding with staircase to the left depicting one unit on each floor

The two units are almost identical with only one room comprising a double bed, small seating area and small counter for home appliances as well as a separate bathroom.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025



Inside view of the ground floor guest unit



Inside view of the first-floor guest unit

Since these guest units are not interlined as required, and the first floor unit has a kitchen, it is classified as two separate units, even though it represents one building. To regularise these units and the use for tourist accommodation, a formal land use planning application is required.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

6. APPLICATION

To achieve the objective, it was confirmed during a pre-consultation communication that a land use planning application is required. This application will not only regularise the separate unit but also facilitate the use thereof for tourist accommodation purpose, even though these facilities will not be made available to paying guests.

In terms of the Stellenbosch Zoning Scheme By-Law, the following buildings are permitted as primary land use rights on a land units that is zoned Agriculture and Rural Zone:

- Dwelling house
- Second dwelling
- Employee housing (one unit)

According to the same By-Law, an **additional dwelling unit** is permitted as a consent use. An additional dwelling unit is defined as follows:

***Additional dwelling unit** means a dwelling unit other than an employee housing unit, together with its customary ancillary outbuildings, which is erected on land in Agricultural and Rural zone, on which a dwelling house and second dwelling already exist or are in the process of being erected, provided that such additional dwelling units may only be erected with the Municipality's consent use approval on land units exceeding 20ha in size, and no more than four additional dwelling units may be erected on any one land unit at a ratio of one dwelling for every 10ha exceeding 20ha."*

Since the subject property measures **22ha in extent**, an application for Consent Use for **one additional dwelling unit** can be submitted to the Municipality for approval, which means that the second guest room must also be accommodated.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

To accommodate the second guest unit, the By-Law makes provision for **tourist accommodation establishment** as a consent use, and which is defined as follows.

***Tourist accommodation establishment** means an enterprise which provides the accommodation for transient guests which exceeds the scale and extent of tourist dwelling unit or guest house, and which is also not a hotel with its ancillary public facilities, and:-*

- (i) May have an informal, clustered layout which takes cognisance of the natural features of the site and where internal road standards do not necessarily comply with formal township standards.*
- (ii) May consist of self-catering units.***
- (iii) And where enabled by the Scheme, may include tourist facilities subject to the development parameters of the zone.*
- (iv) Where the following land uses may only be undertaken only with the specific further consent use approval of the Municipality regardless of whether tourist accommodation or tourist facilities is a primary right in that zone or not:*
 - a) Additional facilities for day visitors*
 - b) Wellness centres and meeting rooms which serve resident guests*
 - c) Camping sites with ancillary facilities*
 - d) Tented accommodation, tree houses, mobile accommodation or use of any construction materials and methodologies that are not ordinarily used. (own emphasis)*

To facilitate the existing units and to utilize it as guest units' formal application is made in terms of **Section 15(2)(o)** of the Stellenbosch Municipality: Land Use Planning By-Law, 2023 for the following **CONSENT USES** on Portion 20 of Farm No. 1646 Paarl:

- **1 x Additional dwelling unit** (ground floor of existing outbuilding)
- **Tourist accommodation establishment** (first floor unit of existing outbuilding and ground floor of additional dwelling unit)

The motivation for site-specific circumstances will be made in Section 8.4 of this report.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

7. SPATIAL PLANNING PRINCIPLES

In terms of National, Provincial and Local spatial planning legislation certain development principles were adopted to apply to spatial planning, land development and land use management.

The development principles on National level is in terms of Section 7 of the **Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA)**, while the land use planning principles on Provincial level is in terms of Section 59 of the **Western Cape Land Use Planning Act, 2014 (Act 3 of 2014) (LUPA)**. These development principles were all adopted and included into the subsequent **Land Use Planning By-Laws** promulgated for each Local Municipality.

The proposed application for **Consent Use on Portion 20 of Farm No. 1646 Paarl** will be evaluated as follows against the five development principles:

(a) Principle of spatial justice

- The spatial justice principle requires that the past spatial and development imbalances should be redressed through improved access to and utilization of land. We are of the opinion that the **proposed additional dwelling unit and guest unit inside the existing outbuilding on the farmstead promotes this principle by optimising natural and man-made resources without compromising the surrounding area and the primary agricultural land use of the subject property.**

(b) Principle of spatial sustainability

- The principle of spatial sustainability will be achieved by a development if it is spatially compact, using resources sparingly. The **proposal embodies this principle with the optimal use of existing and**



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

underutilised building on the subject property without compromising the surrounding area. Since this application is directed to existing double storey outbuilding on the farmstead, we believe that it will not compromise the integrity of the farmstead. **No additional pressure is placed on any natural or man-made resources.**

- The proposal promotes land uses that are **spatially compact** and inside an existing building.
- The proposal promotes activities in a **location that is sustainable from an environmental and socio-economic point of view.**
- **No cultivated agricultural land will be lost** because of this proposal.
- Since the intention is to regularize the ground floor of the existing outbuilding as an additional dwelling unit, and the unit on the first floor as a tourist accommodation establishment, **no safety hazards are anticipated** through this application.
- The intended land use will **not have any detrimental impact on the surrounds and are not in conflict with the primary land use.**
- Even though a land use planning application is required, it is noteworthy that the accommodation units will **not** be for any paying guests, only family and friends.

(c) Principle of efficiency

- The use of the outbuilding for accommodation will **optimize the use of existing resources, infrastructure, and land** on the existing functional agricultural land unit.
- We are of the opinion that due to the size and scale of the proposed land use it **will not compromise** the existing agricultural activities and land uses on the subject property and even in the immediate surrounds.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

- The proposed activities will remain **subservient** to the primary agricultural land use.
- No changes to the **agricultural character** are expected because of this application since all activities will be confined to the existing building on the farmstead.
- The proposal will **optimize the use of existing resources and infrastructure** while respecting the existing agricultural character of the subject property.

(d) Principle of spatial resilience

- This principle is **not applicable** since the proposed land uses will be located inside an existing building which will remain subservient to the primary agricultural land uses.

(e) Principle of good administration

- The Stellenbosch Municipality issued a formal letter in which the applicant was informed that a land use application is required.
- The formal application is submitted to the local authority and relevant statutory authorities for approval and will be administered in accordance with the procedures contemplated in the Stellenbosch Municipality's Land Use Planning By-Law.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

8. DESIRABILITY

In terms of **Section 65 (b)** of the Stellenbosch Municipality: Municipal Land Use Planning By-Law, 2023, the proposed utilization of the land must be desirable.

The concept of “*desirability*” in a land use planning context and as contemplated in Section 65 (b) of the Stellenbosch Municipality: Municipal Land Use Planning By-Laws can be described as the:

“degree of acceptability” of the specific land use(s) on a said property within an existing natural or manmade environment and the guideline proposals included in the relevant spatial development framework plans and policies, and municipal engineering services in so far as it relates to desirability or based on its effect on existing rights and the biophysical environment concerned.

The desirability of this application for **Consent Use on Portion 20 of Farm No. 1646 Paarl** will be discussed with regards to the following aspects:

- Physical characteristics
- Character of the area
- Accessibility
- Spatial Planning & Site-Specific Motivation
- Provision of services

8.1 Physical Characteristics

Portion 20 of Farm No. 1646 Paarl is a bona fide agricultural land unit located in the Drakenstein Valley south-east of Simondium. The subject land unit forms part of the Two Rivers property Owners Association and is surrounded by other agricultural land units of similar size. The subject land unit has a gentle slope which runs from north-east to south-west towards the Wemmershoek River which bounds the land unit to the west. The subject



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

property is already cultivated and used primarily for bona fide agricultural purposes.

Since this application is only directed to the **existing double storey outbuilding** on the farmstead, it suffices to say that there are **no topographical constraints, physical features** or any **conservation worthy vegetation** that will be impacted on.

8.2 Character of the area

Since the subject land unit is an existing agricultural land unit situated in a predominantly agricultural area, it is evident that this area has a rural character with low density developments which are primarily located in nodes on the land units. The subject property is not any different since the existing buildings are in walking distance from each other in the western portion of the property. This area is renowned for its smaller agricultural land units which determines the existing character of the area. The Two Rivers area, as it is known, comprises approximately 10 agricultural land units of almost the same size. This area is bounded to the south by the Berg River and has spectacular views onto the surrounding mountain ranges. The tranquillity that the Berg and Wemmershoek Rivers and rural landscape are unique factors to attract tourists and visitors to this area.



Existing Olive Orchards on the abutting property to the east



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025



View onto the surrounding area

It is worth noting that most of the surrounding land units in the area are used primarily for rural living, while only a few, including the subject property, are used for bona fide agricultural purposes. The proposed consent uses will have no direct or indirect impact on the existing agricultural activities mainly because the additional dwelling unit and guest accommodation unit area confined to the inside of the existing double storey outbuilding. We are therefore of the considered opinion that the regularising of the outbuilding as an additional dwelling unit (ground floor) and the first-floor unit as a tourist accommodation establishment will not change the existing rural character of the area.

.8.3 Accessibility

Access to the subject property is taken directly from MR191 via an existing approved entrance east of the Berg River bridge and existing and established servitude rights of way 4m wide traversing Portion 1 and Portion 2 of Farm No. 1646 Paarl respectively. These servitude roads lead to the entrance to the subject property positioned in the southeastern corner.



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS



Entrance to the servitude right of way over Portion 1 of Farm 1646 Paarl



Existing access road

Since this application ultimately proposes only 2 guest units inside the existing outbuilding on the subject property, the increase in traffic because thereof will be insignificant and negligible, especially since these units will not be available to the public, but only friends and family. No changes to the existing road network will be required to accommodate these small-scale activities.

8.4 Spatial Planning

The subject land unit is situated in a predominantly agricultural area within the area of jurisdiction of the Stellenbosch Municipality. The existing spatial



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

planning policy, which is applicable to this area, the Stellenbosch Municipal Spatial Development Framework (SMSDF), was adopted by Council in 2023 and provides guidelines for spatial developments within the municipal area.

Although the subject land unit is not specifically mentioned in the existing spatial documentation, the principle of tourist related facilities on agricultural land units are accepted and encouraged on all spheres of government for various reasons (local economic development, employment, etc.). Since the subject land unit is an existing agricultural land unit with existing cultivated lands, no changes to the primary agricultural activities are proposed since all activities will be confined to the inside of the existing double storey outbuilding on the subject property, which means that it does not conflict with the spatial planning policies of the Stellenbosch Municipality and can therefore be regarded as desirable.

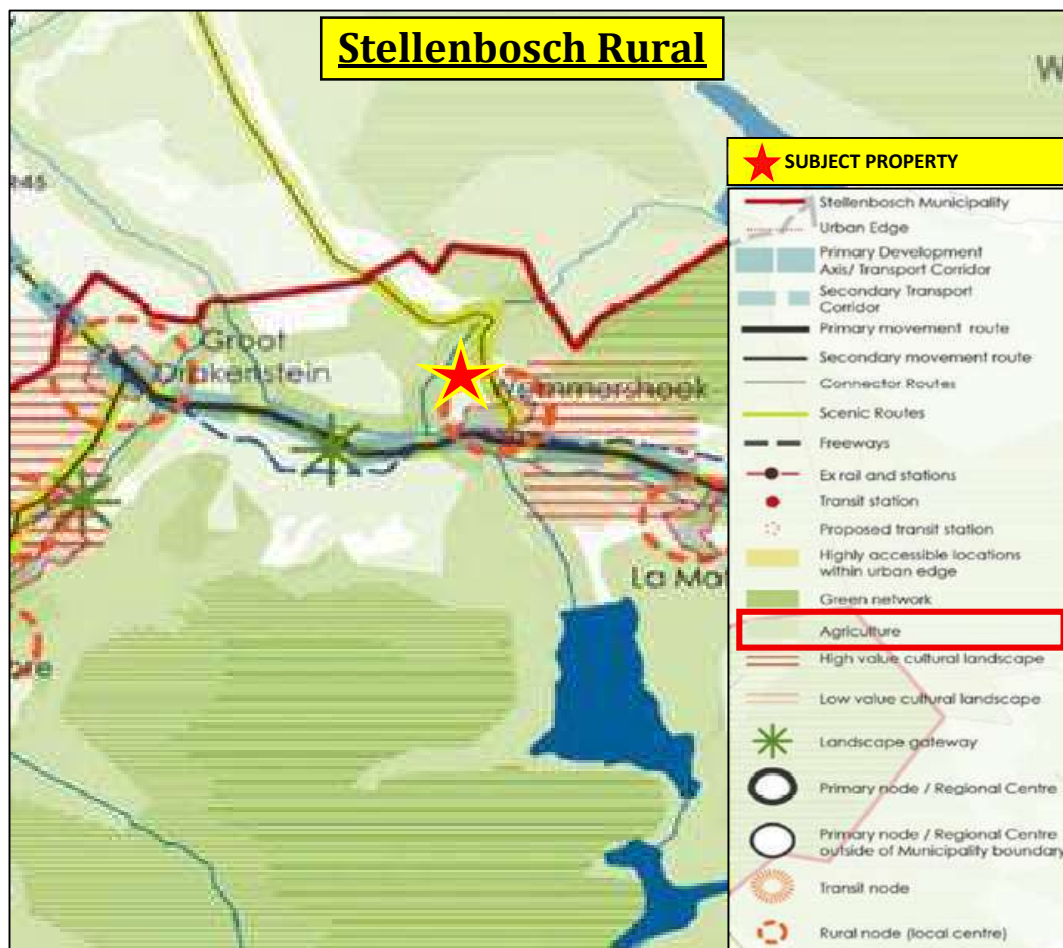


Fig. 8: Stellenbosch Municipality Spatial Development Framework, 2023



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

Motivation for Site-Specific Circumstances in terms of Section 22(2) of the Spatial Planning and Land Use Management Act (Act 16 of 2013)

Background:

- After communication received from the senior official from the Stellenbosch municipality, a formal application was made in terms of Section 15(2)(o) of the Stellenbosch Municipality Land Use Planning By-Law, 2023 for consent use for additional dwelling unit and tourist accommodation establishment to permit the two guest suites inside the existing outbuilding on the farmstead of Farm Portion 20 of Farm No. 1646 Paarl.
- The application is hereby submitted for approval.

Proposed Development:

- The development proposal comprises 2 new guest units inside the existing outbuilding on the farmstead.
- It is worth noting that the application is for self-catering purposes.
- One of the guest units is on the ground floor of the building, while the second unit is on the first floor of the same building.
- Since these units are not interlinking and the unit on the first floor takes access via an outside staircase, it cannot be regarded as one dwelling, even though it is in the same building.
- The subject property is uniquely located in the Franschhoek Valley which is world renowned as a tourist destination.
- It is important to note that no paying guest will be accommodated on the farm, only friends and family.
- There are numerous similar tourist accommodation establishments in the Valley with no direct or indirect negative impact on the primary land use, agriculture.
- No changes to the physical environment are proposed, especially since the infrastructure is already present on the farmstead.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

- The farmstead is not visible from any public road and is also screened by large trees.
- No new structures are proposed by this application.
- The guest units will remain subservient to the primary agricultural activities on the land unit.

Biophysical environment:

- Since the two guest units are both confined to the existing outbuilding on the farmstead, no conservation worthy vegetation or any biological habitats will be affected.

Agricultural environment:

- Since the subject property is an existing fully cultivated farm, no changes or loss to any agricultural land will be made because of this application.
- All activities will be confined to the existing already disturbed farmstead.

Existing MSDF statement:

- It is important to first note that the MSDF policy of tourist accommodation leans strongly on the Western Cape Land Use Planning Rural Guidelines and states the following:
 - *“Recognizing the prospects of tourism to diversify and strengthen the rural economy, the provision of a variety of short-term tourism accommodation across the rural landscape is supported”.*

Response:

The proposed guest units are directly in line with the principle of tourism accommodation in rural areas.

- *“Large-scale tourist accommodation should preferably be provided in or adjacent to existing towns and rural settlements. Tourist accommodation in rural landscape could be allowed if it was an appropriate scale and form.”*



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Response:

Only two guest units are proposed inside an existing double storey outbuilding, one on each floor.

- *“Tourist accommodation situated outside of the urban edge should be clustered in visually discreet nodes, preferably making use of existing buildings...located within or peripheral to the farmstead...for the temporary accommodation for in transit visitors.”*

Response:

The proposed guest units are both located inside an existing outbuilding on the farmstead and correspond thus with the guidelines

- According to the MSDF policy on tourist accommodation in the Agricultural Buffer Zone 1 & 2, it is preferred that tourist accommodation is confined to the farmstead, which is proposed by this application.
- Even though reference is made to additional dwelling units as a means for tourist accommodation, it is important to note that an additional dwelling is referred to as a *“dwelling unit”* which is defined as follows:

“dwelling unit means a self-contained set of interleading rooms which consist of at least one bedroom, one bathroom and no more than one kitchen or open plan area set aside for preparation of meals,”
- It is worth noting that the two guest units are not interlinking, which means that the ground floor unit will be classified as an additional dwelling unit, while the first-floor unit can only be permitted as a tourist accommodation establishment since the subject property is too small to permit more than one additional dwelling unit. Each unit



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

will be a self-contained unit with a double bed, seating area and counter for kitchen appliances with a bathroom.

- There is no reason to believe that this development proposal will have any direct or indirect negative impact on the spatial planning policies, especially since no spatial strategies were directed to the subject land unit specifically, but in general to agricultural land inside the Stellenbosch Municipal area.
- We believe that this unique setting and zero disturbance to the physical and visual environment, warrants the support of this application.

SPLUMA principles.

- The proposed development was already sufficiently motivated against the SPLUMA principles in Section 7 above and even though the site-specific deviation was not mentioned in particular, we believe that the evaluation against the principles in the motivation report are sufficient.

We firmly believe that the development proposal will not impact negatively in any way on the MSDF and that there are more than sufficient site-specific circumstances to approve the proposed two guest units inside the existing outbuilding on the farmstead.

7.1. Provision of services

The existing outbuilding which is the subject of this application has already all the necessary engineering services. Detail regarding the services will be addressed during the formal building plan process. The following services are already existing on the subject property:

- **Potable Water**

The Potable water from Wemmershoek Pipeline is allocated to the entire Two Rivers Estate. It is then subdivided within the estate to each farm. The allocation for the subject property is 17.6 Kl per year.



P-J le Roux

STADS- EN STREEKBEPLANNERS /TOWN AND REGIONAL PLANNERS

- **Sewage/wastewater**

There is no municipal sewer system on the farm, but only septic tanks for each of the existing buildings on the subject property, with the subject building sharing a septic tank with the main house.

- **Electricity** (see *Eskom invoice attached*)

Electricity is supplied by Ekom.

- **Irrigation water** (see *Berg River water user's association invoice attached*)

Allocation for 17,6 Kl irrigation water from the Berg River water user's association

We are of the opinion that because the additional dwelling units with the extra room for guest accommodation purposes on the first floor already exist as well as the fact that these units will not be available for the public, no additional traffic is expected, therefore no Development Contributions will be payable.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

8. SUMMARY AND CONCLUSION

From the previous it is evident that the application for **Consent Use** to regularize the ground floor unit in the existing double storey outbuilding as an ***additional dwelling unit*** and to facilitate both units (ground and first floor) as a ***tourist accommodation establishment***, is in line with Section 65(1)(c) of the Stellenbosch Municipality Land Use Planning By-Law. The motivation for the proposed land uses can be summarized as follows:

Economic impact

- Even though the guest accommodation units will not be open for the public but limited to friends and family only, the proposed land use rights will contribute to the overall value of the subject property.
- The utilization of the existing outbuilding on the farmstead of the subject property will be economically viable and will optimize existing infrastructure and services.

Social impact

- The proposed land use will have a positive social impact since the proposed activity creates **new employment opportunities**.
- The proposed land uses will not compromise the primary agricultural activities.
- The principle of agri-tourism is well supported by all spheres of the government and is a significant contributor to job creation and the development of entrepreneurial skills.

Compatibility with surrounding land uses

- Since the proposal will be confined inside of the existing outbuilding and the primary land use will continue uninterrupted, the land uses will **not be in conflict** to what is **already present on farms in the immediate surrounds**.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

- All activities will be confined to the **existing farmstead** and no new buildings will be constructed.
- The existing outbuilding is not visible from any of the surrounding land units.
- Since tourist accommodation is a **common phenomenon** on farms in the Stellenbosch and especially the Franschhoek areas.
- The **primary agricultural activities** will continue uninterrupted, and no agricultural land will be lost because of this application.
- The existing road infrastructure is more than sufficient to accommodate the low volume of traffic generated by the proposed guest units.

Impact on external engineering services

- The necessary engineering services already exist on the subject property and easily accommodates the use of these two guest units inside the outbuilding.

Impact on safety, health, and wellbeing of the surrounding community

- There is no reason to believe that the proposed land use will result in any changes to the safety and security in the area, especially since access to the subject property is via a security gate and the units will not be for public use.
- The proposed land use will have no impact (visual, health and safety) on any of the surrounding properties especially since the guest units are confined to the existing outbuilding on the farmstead.

Impact on heritage

- Since no structural changes are proposed to the exiting outbuildings and the use will be restricted to the inside of the existing building, there is no heritage implications.



P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025

Traffic impacts, parking, access and other transport related considerations

- Due to the size and scale of the proposal (two guest units) and the fact that the use will not be available to the public, the existing and approved road network (servitude roads) and internal farm road are more than sufficient to accommodate the two additional traffic to and from the subject property.
- There is more than sufficient onsite parking available on the farmstead to easily accommodate the two vehicles expected because of this application.
- The existing internal farm road can easily accommodate the expected traffic.

Whether the imposition of conditions can mitigate and adverse impact of the proposed land use

- It is our view that the proposed land use on the subject property will not have any detrimental impact on the surrounding area, and **no mitigation is foreseen for this application.**

From the aforementioned it is evident that the application for **Consent Use** to regularize the ground floor unit in the existing double storey outbuilding as an ***additional dwelling unit*** and to facilitate both units (ground and first floor) as a ***tourist accommodation establishment***, on Portion 20 Farm No. 1646 Paarl as depicted on the attached ***Site Development Plan***, is therefore regarded as highly desirable and can be approved.

PIERRE-JEAN LE ROUX

Pr. Pln. A./803/1995

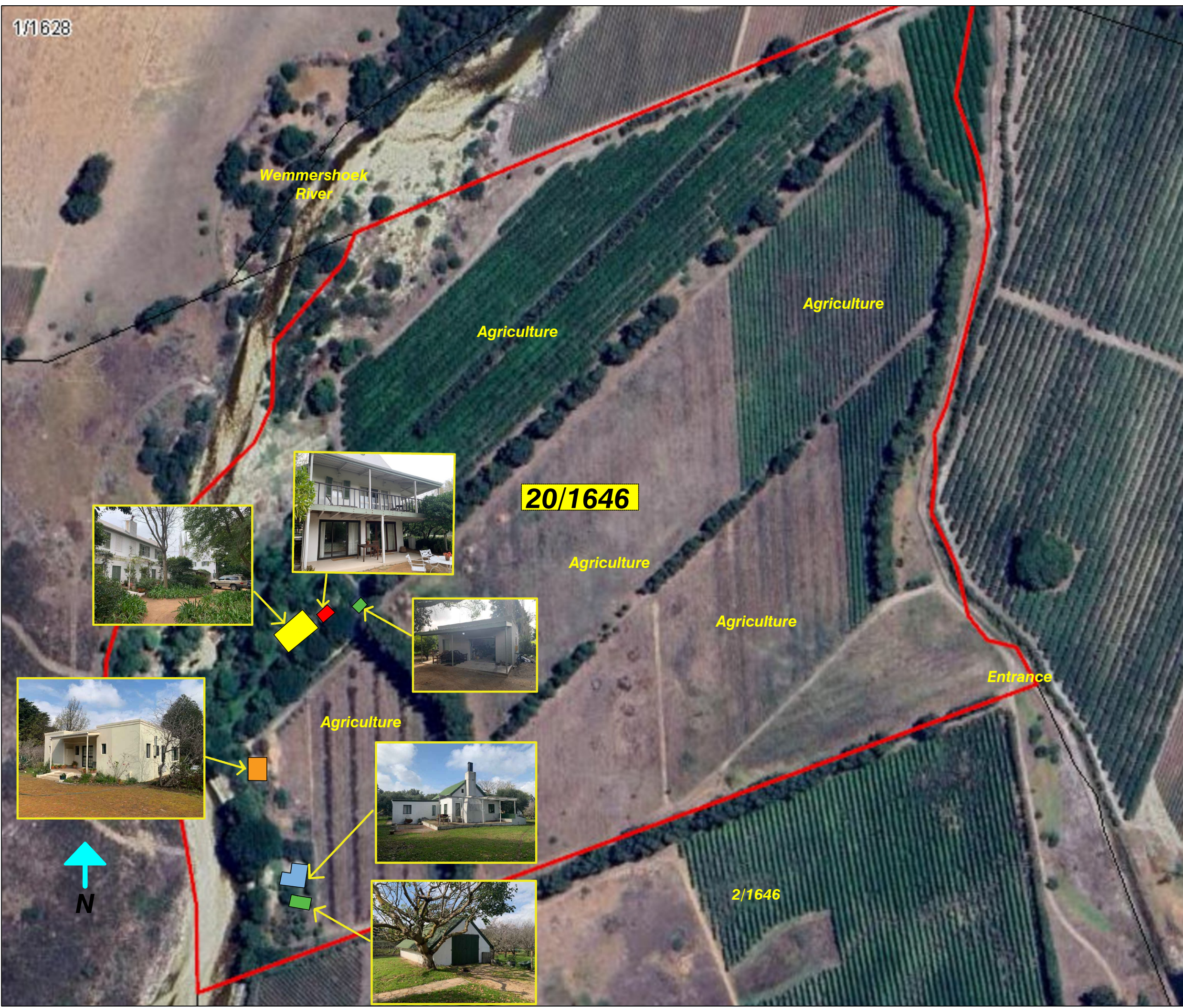


P-J le Roux

STADS- EN STREEKBEPLANNERS / TOWN AND REGIONAL PLANNERS

Portion 20 of Farm 1646 Paarl

September 2025



- Main dwelling
- Outbuilding (Subject of application)
- Sheds
- Second dwelling
- Employee house



P-J Le Roux
STADS-EN STREEKBEPLANNER/
TOWN AND REGIONAL PLANNER

Hoofstraat 262 Main Road, Paarl
(t) 021-8722499 (f) 086 605 8431
(email) pj@pjleroux.co.za

Project:

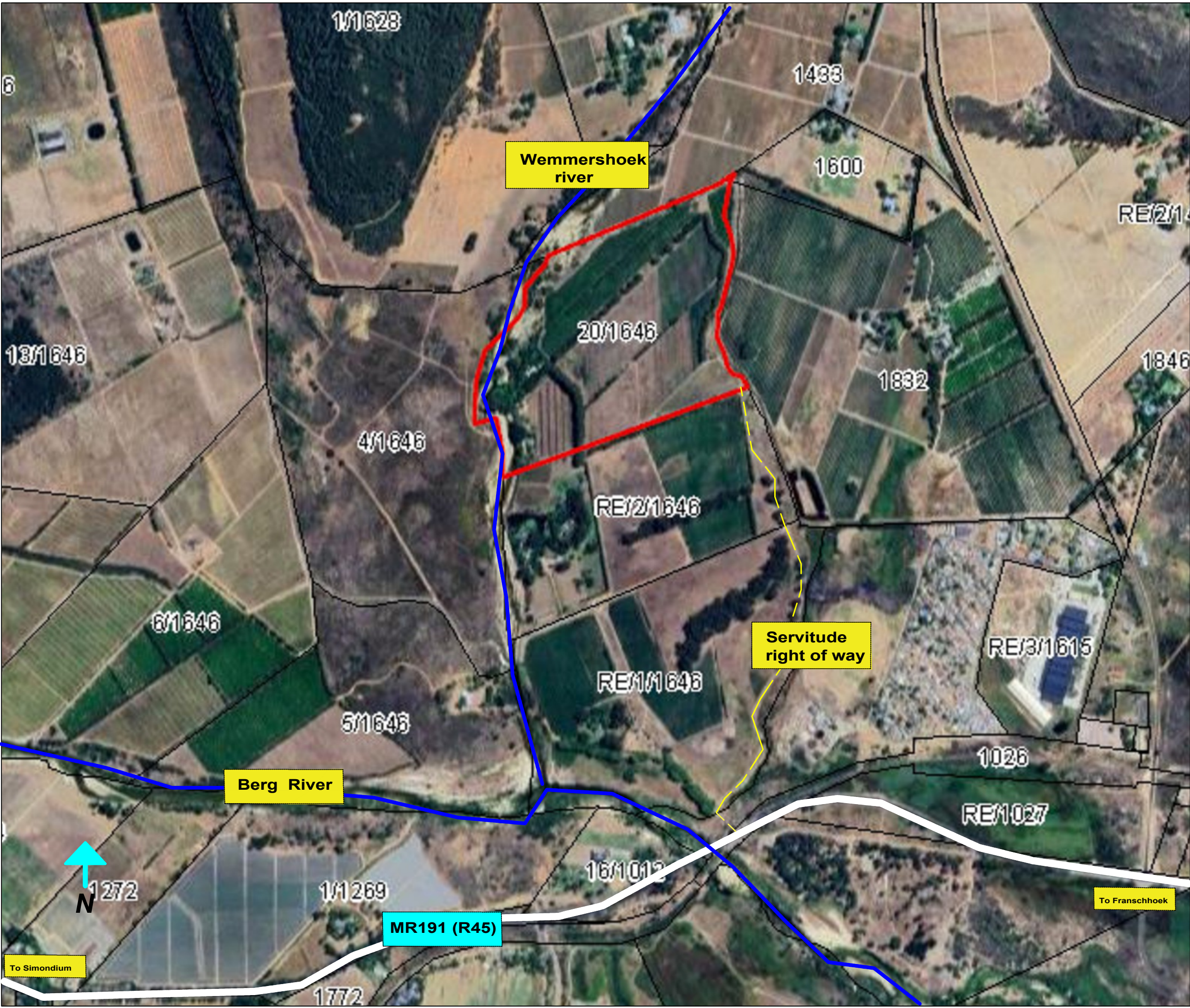
**Application for
Consent Use:
Portion 20 of Farm
No. 1646
Paarl**

Description:

**Site
Development
Plan**

RIVERS FARM

Skaal	N.T.S	Leer nr.	V 30-154
Teken	PJLR	Datum	SEPTEMBER 2025
Keur	PJLR	Tekening nr.	3



 **P-J Le Roux**
STADS-EN STREEKBEPLANNER/
TOWN AND REGIONAL PLANNER
Hoofstraat 262 Main Road, Paarl
(t) 021-8722499 (f) 086 605 8431
(email) pj@pjleroux.co.za

Project:
**Application for
Consent Use:
Portion 20 of Farm
No. 1646
Paarl**

Description:
**Aerial
Photo**

RIVERS FARM		
Skaal	N.T.S	Leer nr. V 30-154
Teken	PJLR	Datum SEPTEMBER 2025
Keur	PJLR	Tekening nr. 2