

**NOTICE OF LAND DEVELOPMENT APPLICATION
IN THE STELLENBOSCH MUNICIPAL AREA**

**APPLICATION FOR PERMANENT DEPARTURES AND THE REMOVAL OF RESTRICTIVE TITLE DEED
CONDITIONS ON ERF 847, STELLENBOSCH (28 KOCH STREET)**

Applicant: Arch Town Planners (Pty) Ltd – Marike Bolz
Contact Number: 072 480 5838,
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Owner: Mother Lode Properties (Pty) Ltd
Contact Number: 021 883 2112

Application number: TP145/2022

Reference number: Erf 847, Stellenbosch

Property Description: Erf 847, Stellenbosch

Physical Address: 28 Koch Street, Krigeville, Stellenbosch

Description of proposals:

Application is made in terms of Section 15(2)(b) and (f) of the Land Use Planning By-Law (2015) (hereafter referred to as 'the By-Law') for the following:

- i. Permanent departure to allow for a street building line on Koch Street of 1.2m in lieu of 4.5m.
- ii. Permanent departure to allow for a street building line on Suidwal Street of 0m in lieu of 4.5m
- iii. Permanent departure to allow for less than the prescribed open space requirement of 20%.
- iv. The removal of the following restrictive title deed conditions from Deed of Transfer No. T33769/2022 : C.(c)

The removal of these restrictive title deed conditions will enable the owners to develop their erven in line with the regulations of the Stellenbosch Zoning Scheme Bylaw, 2019.

Notice is hereby given in terms 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-notice/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

Written comments, 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 in the application, may be submitted in terms of Section 50 of the said Bylaw to the Applicant by electronic mail as follows: **Arch Town Planners (Marika Bolz)**, marika@archtownplanners.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 to be received on or before the closing date of **19 January 2023**.

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 072 480 5838 during normal office hours.

**KENNISGEWING VAN GRONDONTWIKKELINGSAANSOEK
IN DIE STELLENBOSCH MUNISIPALE GEBIED**

**AANSOEK VIR PERMANENTE AFWYKINGS EN DIE VERWYDERING VAN BEPERKENDE TITELAKTE
VOORWAARDES OP ERF 847, STELLENBOSCH (28 KOCHSTRAAT)**

Aansoeker: Arch Town Planners (Pty) Ltd – Marike Bolz
Kontakbesonderhede: 072 480 5838

Eienaars: Mother Lode Properties (Pty) Ltd
Kontakbesonderhede: 021 883 2112

Aansoeknommer: TP145/2022

Verwysingsnommer: Erf 847, Stellenbosch

Eiendomsbeskrywing: Erf 847, Stellenbosch

Fisiese Adres: 28 Kochstraat, Krigeville, Stellenbosch

Beskrywing van aansoek:

Die aansoek vir oorweging is 'n aansoek ingevolge artikel 15(2)(b) en (f) van die Stellenbosch Munisipaliteit: Verordening op Grondgebruikbeplanning (2015) vir:

- i) 'n Permanente afwyking om toe te laat vir 'n straatboulyn op Kochstraat van 1.2m in stede van 4.5m;
- ii) 'n Permanente afwyking om toe te laat vir 'n straatboulyn op Suidwalstraat van 0m in stede van 4.5m;
- iii) 'n Permanente afwyking om minder as die voorgeskrewe oop ruimte van 20% te voorsien;
- iv) die opheffing van die beperkende titelaktevoorwaardes vervat in Titelakte Nr. T33769/2022 : Klousule C.(c)

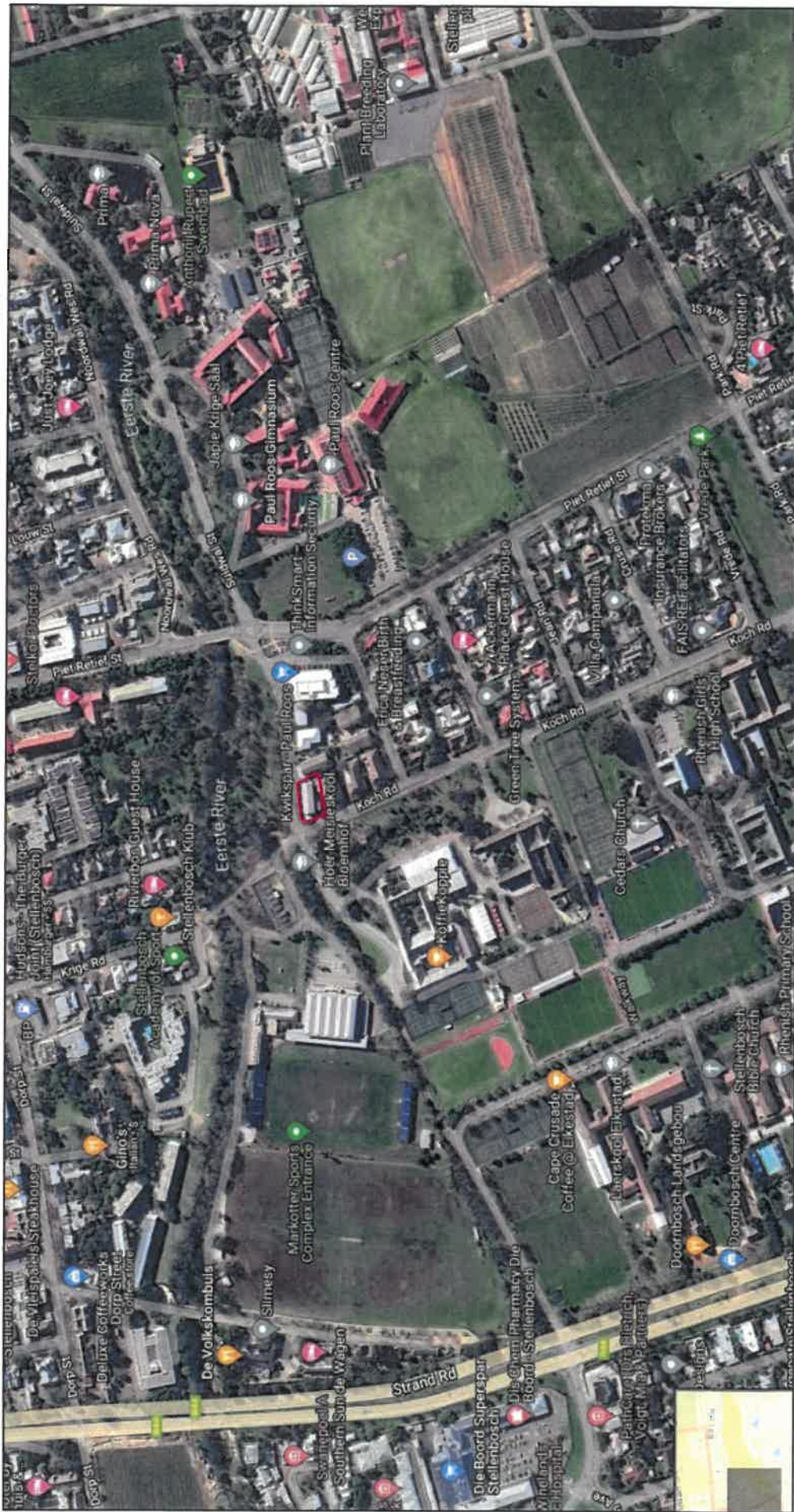
Kennis word hiermee gegee in terme van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydskedule van die publieke deelname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

Skryflike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die 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, kan ingedien word in terme van Artikel 50 van genoemde Verordeninge aan die Aansoeker by wyse van elektroniese pos as volg: **Arch Town Planners, (Marike Bolz): marike@archtownplanners.co.za** . Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **19 Januarie 2023**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 072 480 5838.



REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND PERMANENT DEPARTURES

**Erf 847
28 Koch Street
Stellenbosch**



**SUBMITTED TO:
STELLENBOSCH MUNICIPALITY**

OCTOBER 2022

PREPARED AND SUBMITTED BY:



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Contents

1. Introduction	3
1.1 Background Information	3
1.2 Planning Brief	3
1.3 Applications To Stellenbosch Municipality	3
2. Property Description	4
2.1 Ownership Details And Title Deed	4
2.2 Locality And Context	5
2.3 Current Land Use And Zoning	7
3. Development Proposal	10
3.1 Overview	10
3.2 Development Parameters	13
4. Motivation	14
4.2 Land Use Planning Act (2014)	17
4.3 Consistency With The Applicable Spatial Development Frameworks	18
4.3.1 Western Cape Provincial Spatial Development Framework, 2014	18
4.3.2 The Stellenbosch Municipality Integrated Development Plan, 2017	18
4.3.3 The Stellenbosch Municipality Spatial Development Framework, 2019	18
5. Conclusion	19

Annexures

Annexure A:	Power of Attorney
Annexure B:	Land Use Planning Application Form
Annexure C:	Copy of Title Deed and Conveyancer's Certificate
Annexure D:	S.G. Diagram
Annexure E	Site Development Plan, Floor Plans and Elevations
Annexure F:	Pre-application Scrutiny Feedback
Annexure G:	Letters of Support (SIG and SHF)

Tables

Table 1:	Property Details
Table 2:	Summary of Uses
Table 3:	Development Parameters
Table 4:	Compliance with Proposed Development
Table 5:	Assessment of Application in terms of Section 65 of the By-law

1. INTRODUCTION

1.1 Background Information

Erf 847 Stellenbosch (hereafter referred to as 'the application site') is a multi-unit residential erf within the Stellenbosch Municipal area. The property owner seeks to extend the apartment building and add two more flats to the existing block. The title deed conditions of the property place restrictions on the allowable coverage of the property, which is more restrictive than that of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (hereafter referred to as 'the Zoning Scheme'). Although the additional proposed coverage is in line with the zoning scheme, it is more than what is allowed in the title deed. Therefore, it is necessary to remove the restrictive title deed condition. A portion of the proposed extension will extend beyond the prescribed building lines for which a building line is required as well as the roofed pedestrian entrance.

1.2 Planning Brief

In light of the above information, Arch Town Planners (Pty) Ltd has been appointed by the owner of the application site to prepare and submit the required land use application to the Stellenbosch Municipality to remove the relevant restrictive title deed conditions and to apply for the required departures.

Please refer to the attached Power of Attorney (**Annexure A**).

1.3 Applications to Stellenbosch Municipality

Arch Town Planners (Pty) Ltd hereby officially applies, in terms of Sections 15(2)(b) and (f) of the Stellenbosch Municipality Land Use By-Law, 2015 (hereafter referred to as 'the By-Law') for the following:

- i. **Permanent departure** to allow for a **street building line** on Koch Street of 1.2m in lieu of 4.5m.
- ii. **Permanent departure** to allow for a **street building line** on Suidwal Street of 0m in lieu of 4.5m (roofed pedestrian entrance).
- iii. **Permanent departure** to allow for less than the prescribed **open space** requirement of 20%.
- iv. **The removal of the following restrictive title deed conditions** from Deed of Transfer No. T33769/2022.
 - C. (c)

This report serves as motivation for the application mentioned above. The official application form is attached to this report as **Annexure B**.

2. PROPERTY DESCRIPTION

2.1 Ownership Details and Title Deed

Property Details	Ownership	Erf size	Title Deed	Restrictive Title Deed Conditions
Erf 847, Stellenbosch	Mother Lode Properties (Pty) Ltd	945m ²	T33769/2022	C. (c)

Table 1 Property Details

Please refer to **Annexure C** for a copy of the title deed and Conveyancer Certificate and **Annexure D** for a copy of the S.G. Diagram (Refer to figure 1 below).

There are several land use restrictions within the title deed however, only Condition C.(c) as stated below, is applicable to this application and proposal. Condition C.(c) places a restriction on the allowable coverage which is more restrictive than what is permissible in terms of the zoning scheme. It is therefore the intention of this application to have this condition removed to allow for the proposed extension.

Condition C. (c) : *"Not more than one third of the area of this erf shall be built upon"*.

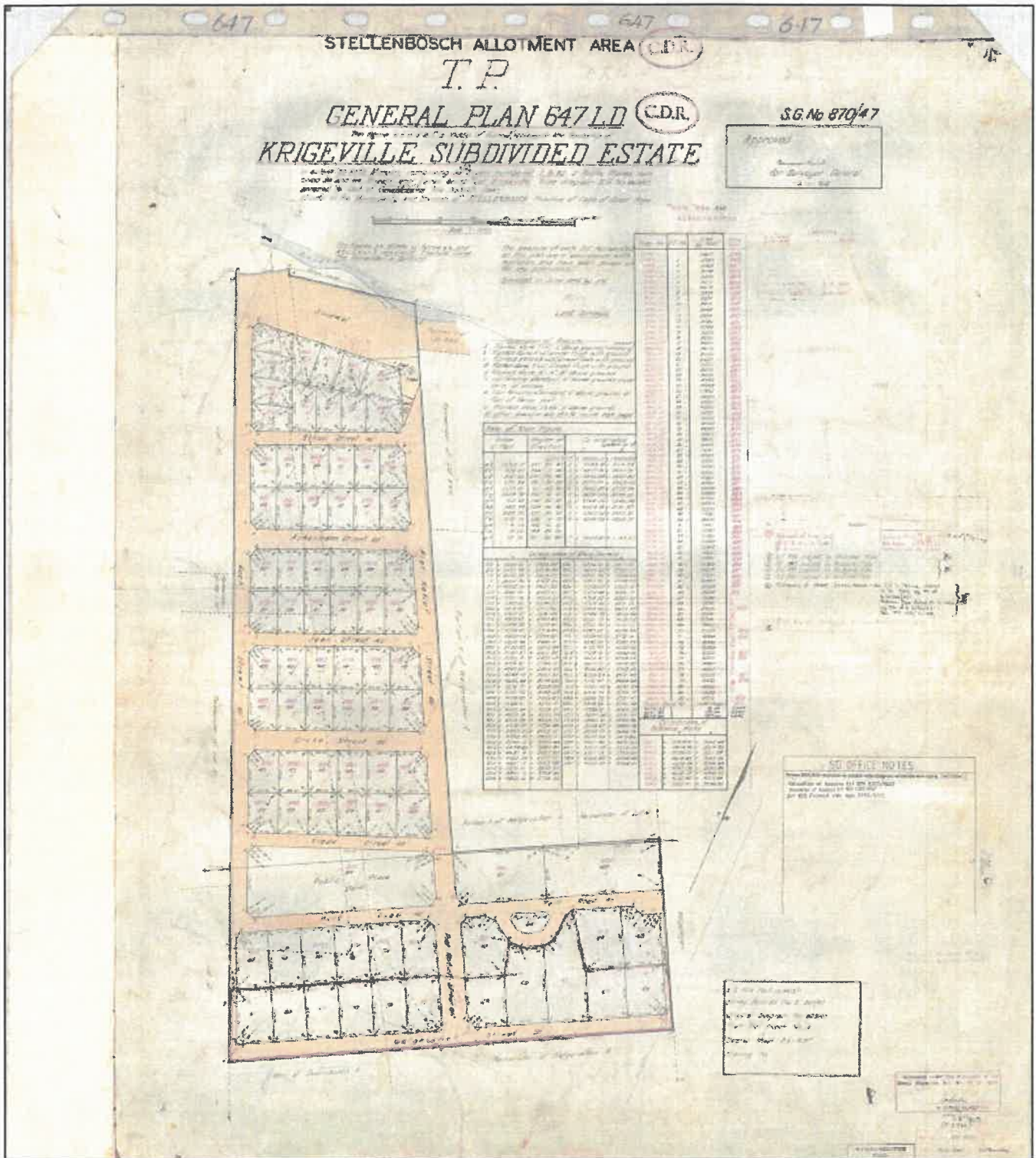


Figure 1 S.G. Diagram for erf 847, Stellenbosch

2.2 Locality and Context

Please refer to Figures 2 and 3 for the locality and aerial view of the application site. The site is situated in the suburb of Krigeville, Stellenbosch, with Suidwal Street running along the northern boundary and Koch street running along the western boundary of the site. It lies directly south of the Eerste Rivier, within walking distance to Markotter Sports Complex, Bloemhof, Renish, Eikestad and Paul Roos schools, town center and the Coetzenburg sport fields.



Figure 2 Locality of Application Site

As can be seen on Figures 3 below, vehicle access is provided from Koch Street and pedestrian access from Suidwal Street. This site is an excellent location for walking from your residence to work. The area is predominantly conventional residential, with a few apartment buildings in the neighborhood. The site is accessible toward town with pedestrian and bicycle pathways along the Eerste River pedestrian and cycle routes.



Figure 3: Aerial view of the site

2.3 Current Land Use and Zoning

The application site has a two-storey block of flats (6 x 2-bedroom flats) with 6 parking bays (2x double garage, 1 x single garage, 1 x carport and 2 open bays). Please refer to **figures 3, 4 5 & 6** as well as page 1 of the attached SDP drawings (Annexure D). As indicated on page 1 of the SDP, the original 6 x flats were approved in 1956. In 1978, building plans were approved for the existing single garage and carport. In 1996, building plans were approved for a double garage on the western boundary of the site, boarding on Koch Street. Vehicular access is provided from Koch Street with pedestrian access from Suidwal Street. A private garden area is situated on the northern boundary of the site, facing Suidwal Street which provides private open space to the residence of the flats.

The coverage (39.8%) of the existing buildings and outbuildings are in line with that allowed for in the zoning scheme, but it exceeds the permissible coverage as allowed for in the title deed (33.3%). It is important to note the following (with relation to the existing approved buildings):

- The existing building has a common boundary building line (eastern boundary) of 3.75 in lieu of 4.5m which has been approved as part of the 1956 building planning approval process (Refer to **Annexure E** for approved plans).
- The existing building has an approved coverage of 39.8%.



Figure 4: View from the North (Suidwal Street) of the existing flat block on erf 847



Figure 5: View from the Southwest (Koch Street) of the existing flat block on erf 847



Figure 6: View from the North that shows the view line from the flat block located behind the application site

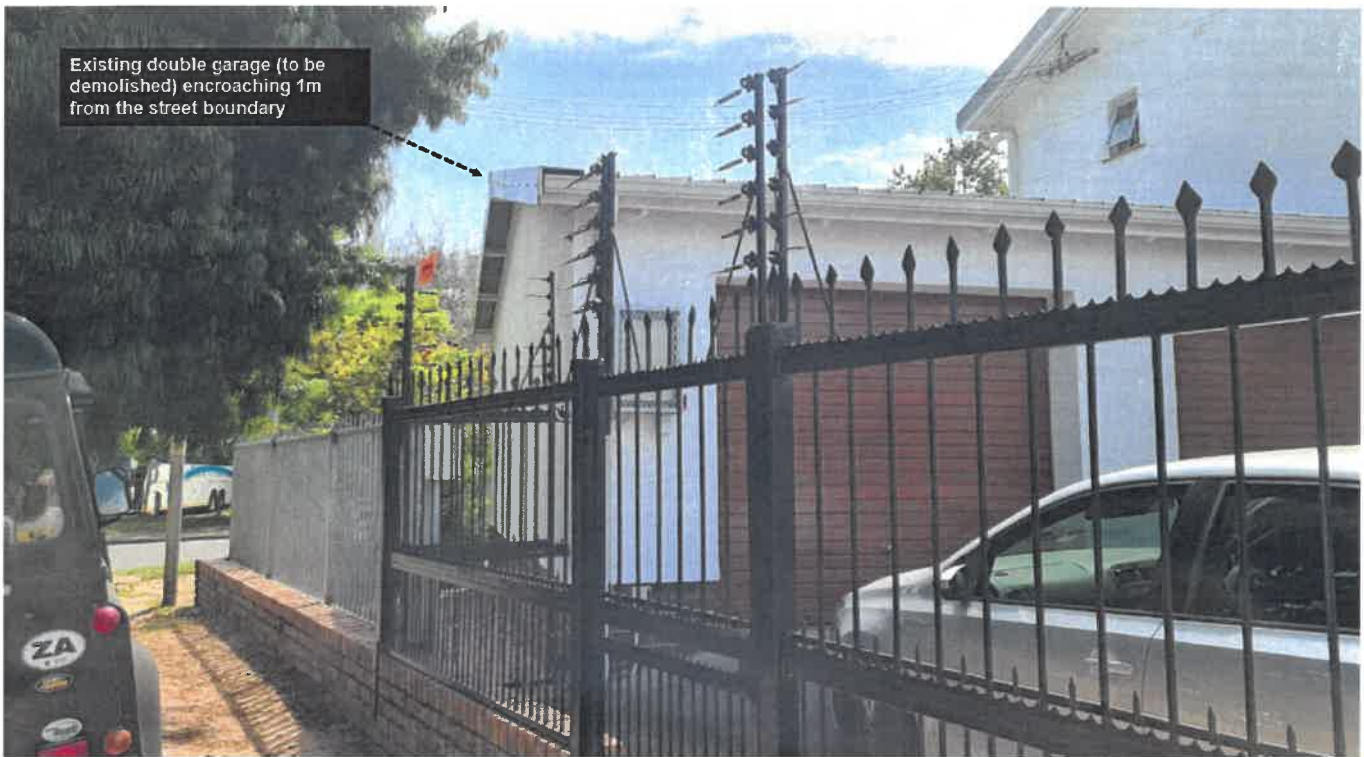


Figure 7: The existing double garage (to be demolished) that encroaches on the street building line

The property's zoning is regulated in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019. According to the zoning scheme, the site is zoned as a **Multi-Unit Residential Zone**, which allows for block of flats. It is important to note that Section 78(2) of the zoning scheme stipulates that:

“Where a land unit is zoned Multi-unit Residential zone is smaller than 1 000m², the use rights and development parameters prescribed for Conventional Residential zone shall apply to such land unit, unless the Municipality permission is granted in terms of this Scheme for other primary, consent or additional uses”.

However, with the existence of the existing approved block of flats, it is clear that the Municipality has previously granted their consent for this property, being less than 1 000m², to be used in line with the land use and building line parameters of the Multi-Unit Residential zone (with more restrictive building lines than that of the Conventional Residential Zone). The land use and building parameters of the Multi-Unit Residential zone, as set out in **Tables 2 and 3** is therefore applicable:

Primary Uses	Additional Uses in dwelling house 2 nd dwelling and other dwelling units (not exceeding threshold in this chapter and subject to technical approval)	Consent Uses (application required)
<ul style="list-style-type: none"> • Commune • Dwelling house • Flats • Group housing • Guest house • Hostel • Retirement village • Second dwelling house • Tourist dwelling unit • Private road 	<ul style="list-style-type: none"> • Bed and breakfast establishment • Home day care centre • Home occupation practice • Home lodging • Occasional use (one event/year) 	<ul style="list-style-type: none"> • Community residential building • Guest house (meeting & beauty treatment room) • Occasional use (>one/year) • Renewable energy structure • Rooftop base telecommunication station • Tourist accommodation establishment • Welfare institution • Additional uses exceeding parameters in this chapter

Table 2 Summary of land uses allowable for the Multi-Unit Residential Zone

Building type permitted	Street boundary building lines (m)	Common boundary building lines (m)	Max Coverage	Max Height	Floor area
Group housing; Retirement village	External: 3m Internal: 0m	External: 3m Internal: 0m	50%	2 storeys	n/a
Flats	All levels: 4,5m	Ground floor: 4,5m First floor: 4,5m Second floor: 6m	50%	4 storeys	75%
All other buildings	All levels: 4,5m	Ground floor: 4,6m First floor: 4,5m Second floor: 6m	50%	3 storeys	75%

Table 3 Building development parameters

3. DEVELOPMENT PROPOSAL

3.1 Overview

The proposed development entails demolishing the existing double garage on Koch Street (western boundary) and extending the existing apartment building to include two additional units on the western boundary of the site, one 2- bedroom unit on ground floor and one 1-bedroom unit on the first floor. The number of units will increase from 6 to 8. (Please see figures 8 & 9 for ground and first floor plans)

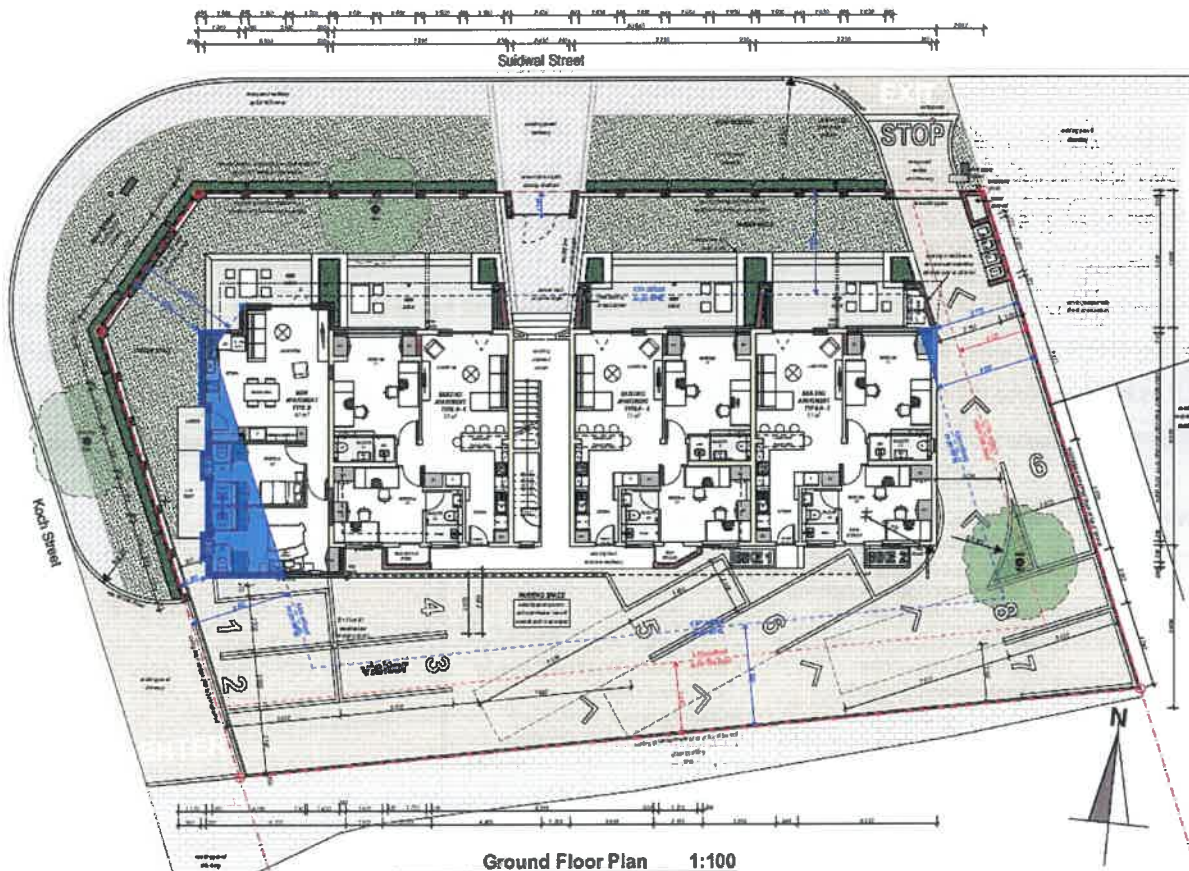


Figure 8: Ground Floor plan of proposed new extension on existing flat block

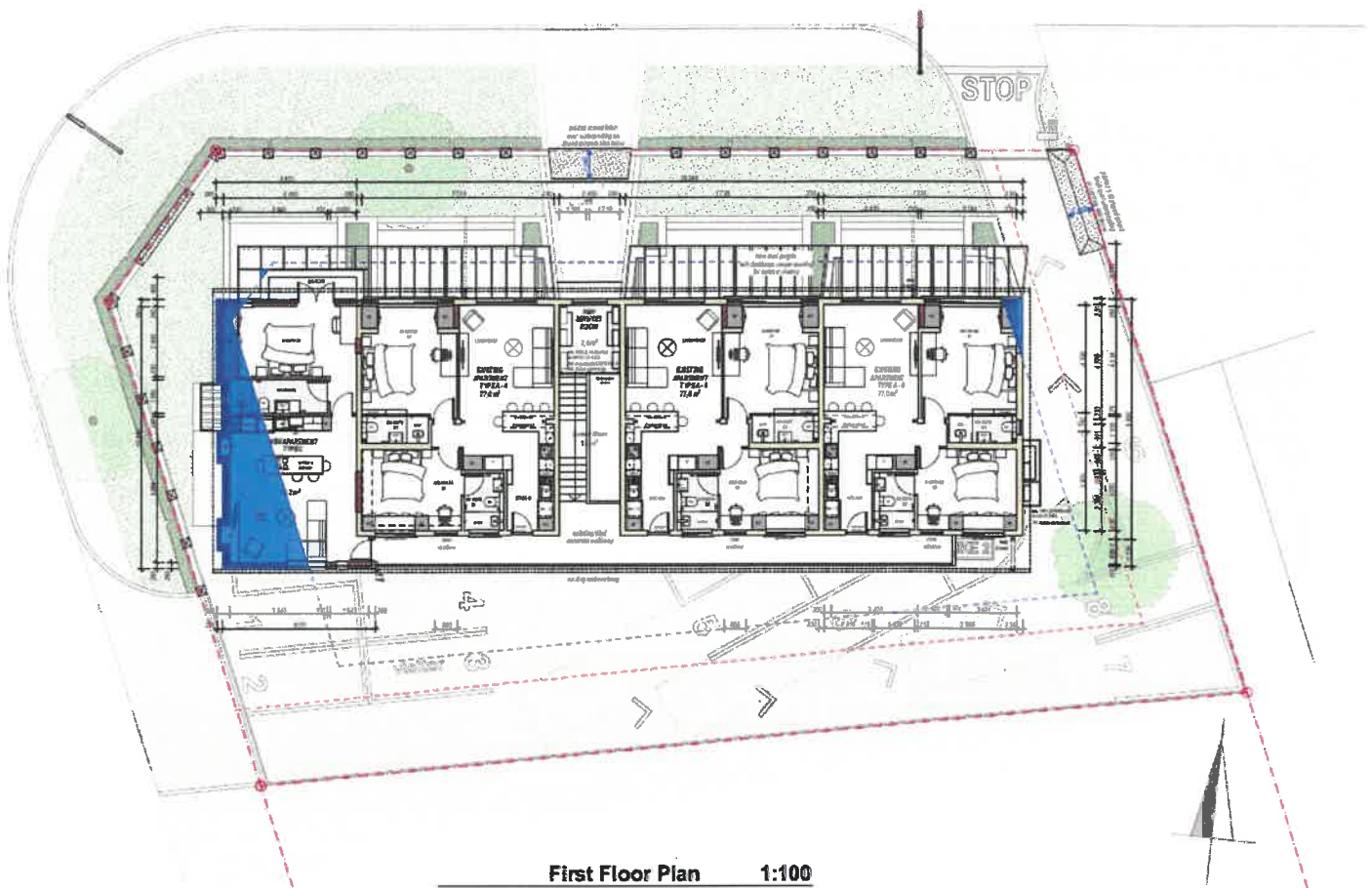


Figure 9: First Floor plan of proposed new extension on existing flat block

The proposed extension encroaches the building line on Koch Street (between 1.2m at the closest perpendicular point of the building to the boundary and 3.5m) instead of 4.5m as required by the zoning scheme. It is important to note that this extension will replace the existing double garage that was approved an already build 1.2m from the street boundary.

The open space area will still be provided at the front of the building, facing Suidwal street, but it is proposed to have new private deck areas for the four ground floor units, with private landscaped open space ($\pm 14\%$) between these decks and the property boundary. The private decks will be separated by planters to provide privacy to each area.

The pedestrian access will still be from Suidwal Street, with a new roofed entrance gate. It is proposed to use the existing vehicle access on Koch Street as an entrance only and to provide a new vehicle exit on Suidwal street. This is to facilitate one-way vehicle movement with a better traffic flow on site and to decongest traffic activities onto Koch Street. As mentioned, the proposal includes for the demolition of the double garage (to make way for the proposed extension). It also includes for the demolition of the single garage and carport. Therefore, accommodating the additional parking bays on-site and enabling a more user-friendly vehicle circulation arrangement.

Parking will be provided at the rear of the building. As per the approved building plans, the original 6 flats were approved with 6 parking bays. As per the zoning scheme, the additional 2 units requires 1.5 bays per unit, thus 3 new parking bays. All nine required bays are provided on-site. Please refer to the ground floor plan of the attached SDP for the position and layout of the proposed parking bays.

Further new building elements proposed:

- a) New Pedestrian-entrance-canopy-structure on Suidwal street boundary.
- b) New plastered brick columns and modifications to the existing fence on Suidwal- and Koch Street boundaries.
- c) New refuse-bin-enclosure, with a roof that is open to the side, on the Eastern site boundary.
- d) New decks (stoeps) with pergolas, for the entire length of the Northern façade, onto Suidwal street.
- e) Other proposed changes to the existing building include new stacking doors and enlarged window openings to all ground floor living room spaces to link spaces to north-facing patios and north-facing garden spaces.

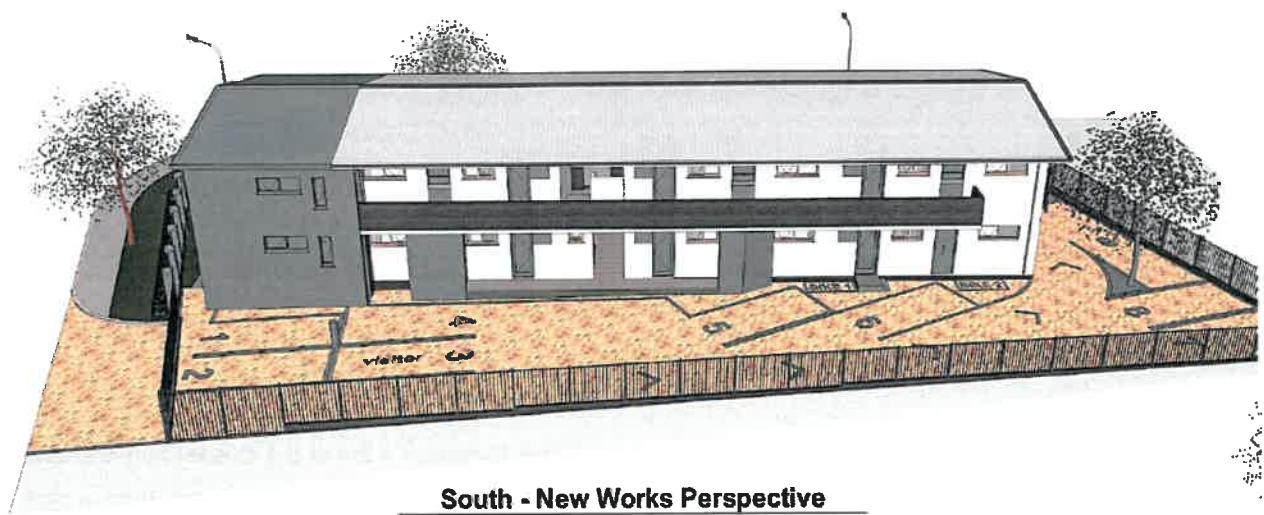


Figure 10: South New Works Perspective

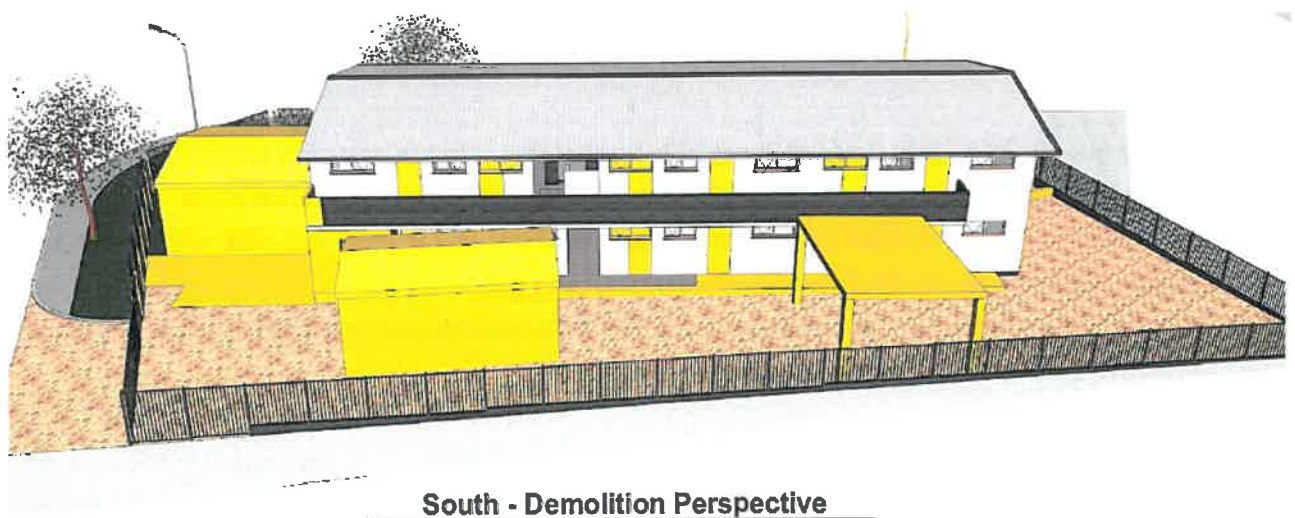


Figure 11: South – Demolition Perspective

The new owner of the block of flats has identified a gap in the rental market for furnished rental options with shorter stay options, rental periods of two-three months. The proposed development will therefore also include the furnishing of all units which will then be let fully furnished to residence. The intention is to rent the furnished flats to visiting athletes (who train at Coetzenburg sports facilities during the summer season), parents with hostel-students in the surrounding schools who wish to provide support during the exams, visiting lecturers to the University and people looking for furnished accommodation while their own house undergoes renovation. The site is perfectly located for this target market, being within walking distance to all surrounding schools, Coetzenburg and town.

3.2 Development Parameters

Table 4 below provides a comparison between the prescribed development parameters (of the zoning scheme and those specified in the title deed) and the proposed development.

COMPARISON OF DEVELOPMENT PARAMETERS OF: MULTI-UNIT RESIDENTIAL ZONE & TITLE DEED VS DEVELOPMENT PROPOSAL					
Development Rule	Permissible		Proposed	Applications Required	
	Zoning Scheme	Title Deed		Zoning Scheme	Title Deed
Street Boundary Building Lines (Koch Street)	4.5m	N/A	1.2m	Departure	N/A
Street Boundary Building Lines (Suidwal Street)	4.5m	N/A	0m	Departure	N/A
Common Boundary Building Lines	4.5m	3.15m	≥ 4.5m	Compliant	Compliant
Coverage	50% 708,8 m ²	33.3% 338m ²	38.2% 697,3m ²	Compliant	Remove
Height	4 Storeys	2 storeys	2 Storeys	Compliant	Compliant
Floor area	75%	N/A	73,8%	Compliant	N/A
Open Space	20%	N/A	14% + decks	Departure	N/A

Table 4 Compliance of Proposed Garage with Land Use Parameters

It is important to note that the existing building has a coverage of 39.8% which already exceeds the permissible 33.3% of the title deed. Though the proposed development entails an extension to the existing block of flats, the total coverage (of 38.2%) will in effect be less than that previously approved as the garages and carport will be demolished.

The proposed decks have not been counted as part of the required 20% landscaped area. It is however argued, that though

the deck areas will not be fully landscaped, it does provide for recreation purposes for residents.

Please refer to Section 4 below for a full motivation for the proposed departures and removal of restrictive title deed condition.

4. MOTIVATION

4.1 Stellenbosch Municipality Land Use By-Law (2015)

Section 65(1) of the By-law sets out specific criteria required in consideration of an application by the decision-making authorities. In line with this Section, Table 5 below sets out the requirements and assesses the application accordingly:

Section 65(1) Criteria	Assessment of Proposal
a. Application submitted in terms of the By-law.	The application is submitted in terms of Sections 15(2)(b) (f) and (g) of the By-law.
b. Procedure followed in processing the application.	To be decided. The proposed development was tested with the Municipality by means of pre-application consultation. See Annexure I for feedback received during the pre-application scrutiny process. All relevant and required documentation are attached to this application and motivation.
c. Desirability of land use	<p>The applications for the removal of restrictive title deed condition (relating to coverage) and building line and open space departures are considered desirable. The reasons for the desirability of the applications may be summarised as follows:</p> <ul style="list-style-type: none"> - It is important to note that before the existence of zoning schemes, title deeds were used to govern and guide the development (by way of various conditions) of properties. Title deed conditions were used to regulate and protect the existing rights of all property owners. Without arguing that restrictive title deed conditions are redundant, it is motivated that Zoning schemes and Municipal Policies now replace the need for title deeds to govern the development of properties. - The existing approved coverage already exceeds the permissible coverage of the title deed as indicated in Table 4 above. As indicated in this table, it is important to note that the coverage of the proposed development will be less than that of the existing approved building. As Condition C.(c) has never been removed from the title deed (to allow for the existing approved building) the intention of this application is to remove this restrictive condition to regularize the existing building and to legally allow for the proposed development. Though the coverage of the proposed development is less than that of the existing building, it is still more than that allowed for in the title deed and therefore the condition must be removed. - If the restrictive title deed condition is removed, the development rights will be governed by the 2019 Stellenbosch Zoning scheme which is more relevant and in line with the current need and vision for Stellenbosch. The proposed coverage is still well below that allowed for under the Zoning scheme. - The existing double garage (with a building line of 1m) already extends beyond the prescribed building line. Though the existing double garage is only a single storey structure (with a pitched roof), it has already broken the street set back and sight lines (from Kock street to Suidwal street). It is considered that the proposed two storey extension with a building line setback of between 1.2m – 3.5m, would not have an increased visual impact or negative impact on sight

	<p>lines/visual appearance more than that of the existing double garage. It is in effect motivated that the proposed extension will in appearance be a more natural extension of the existing block of flats and will be more in character and visually more pleasing than the existing double garage.</p> <ul style="list-style-type: none"> - The proposed building line departure will allow for a sensible extension of the existing building, without exceeding the allowable coverage or bulk. It is clear that the proposed building line departure will not result in the over development of the site. - The proposed building line departure will allow for two more flats to be added to the existing block of flats, thereby allowing for sensible infill development and densification, in line with all relevant Provincial and Municipal policies. - The proposed building line departure will not result in visual intrusion, loss of light, overlooking or loss of privacy to any of the surrounding properties. The surrounding neighbours will in no way be affected by the proposed building line departure. - The proposed development is situated opposite the Eerste River with its recently upgraded cycle and pedestrian paths, linking the site to the surrounding sport fields and Coetzenburg sport complex. It is motivated that there are more than sufficient recreational areas/facilities in the immediate surrounding area to provide for the needs of the future residents. It should also be noted that the proposed development will allow for more private open space than that which is currently provided as the double garage will be demolished and the footprint of the proposed extension is less than that of the existing double garage. It is motivated that the proposed development (which includes for new landscaping and decks) will improve the current streetscape interface and enhance the visual appearance of the building to the benefit of the surrounding area. - The proposed development can tie into all existing services, no services upgrades are required to accommodate the proposed development. - The proposed development is considered as sensible infill development which will make optimal use of existing infrastructure within the urban edge. - The approval of the application will not have a negative impact on the surrounding properties, the proposed development is in character with the immediate surrounding area. - The proposed development is appropriate in the context of the area and will contribute to a more compact urban environment within the urban edge.
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	- The proposed development is supported by both the Stellenbosch Interest Group and the Stellenbosch Heritage Foundation (please refer to Annexure G for their letters of support).
d. Comment in response to public participation.	The application to be advertised in accordance with the Stellenbosch Municipality's requirements.
e. Applicants response to comments received.	To be submitted as part of the Portfolio of Evidence upon conclusion of the Public Participation Process.
f. Investigations in terms of other laws.	Not Applicable.
g. Written assessment by planner.	To be done by the Stellenbosch Municipality.

Table 5 Assessment of Application in terms of Section 65 of the By-law

4.2 Land Use Planning Act (2014)

Section 59 of the Land Use Planning Act, 2014 (hereafter referred to as 'LUPA') sets out the land use planning principles for the Western Cape. The following is an assessment of the application against these principles:

LUPA Principles	Compliance of Proposed Application
Spatial Justice	The proposed development is situated within the urban edge, in an area earmarked for infill development.
Spatial Sustainability	Spatial sustainability would prioritise land use decisions that allow individuals to live close to where they work and have access to amenities. As a result of the locality of the proposed development (within walking distance from schools, amenities, Coetzenburg and town), it may contribute to relief the traffic congestion whilst allowing for more dense and efficient settlements.
Efficiency	This development is proposed on a brownfield site that will make use of the existing urban infrastructure. No services upgrades are required to accommodate the proposed development, it will result in the more efficient use of well-located land and existing infrastructure
Good Administration	The proposed development (allowing for two more flats) are in-line with the municipality's existing densification policies. The building presents an aesthetically pleasing public street interface. The approval of this application will be in the best interest of the Stellenbosch Municipality.
Spatial Resilience	It should be noted that this development is a brownfield development in an area of town that has already been urbanized. Thus, through this development, there will be no negative impact on vulnerable agricultural and/or natural areas; nor would there be any additional risk to the resilience of human residents in the area.

4.3 Consistency with the Applicable Spatial Development Frameworks

4.3.1 Western Cape Provincial Spatial Development Framework, 2014

The Western Cape Spatial Development Framework (hereafter referred to as 'the PSDF') identifies densification as of the provincial objectives. The PSDF specifies that the residential density in urban areas be increase to 25 dwellings per hectare. This application complies with the PSD as it is proposed to add two more flats to an existing block of flats within the urban edge of Stellenbosch.

4.3.2 The Stellenbosch Municipality Integrated Development Plan, 2017

The current Stellenbosch Integrated Development Plan (hereafter referred to as "the IDP"), approved in May 2017 (and updated in May 2018), provides the detailed development plans for the Stellenbosch Municipal Area, over the short term (2017 – 2022) and long term; as well as reviewing some of the challenges and opportunities experienced by the municipality. The IDP has also informed the municipality's recent Draft Spatial Development Framework (2019).

Overall, the IDP prioritises the densification of existing urban areas, by "focusing development in low-density areas, infill, and brownfield land before considering greenfield sites." Given the relatively low-density nature of the existing building in which the site is located, in combination with its ideal location near the town centre, schools, amenities and Coetzenburg, the area is well-aligned with the IDP strategy of densifying brownfield sites.

Similarly, the IDP prioritises the objective of "Car Free Living" which refers to strategies that encourage more sustainable modes of travel such as public transportation, non-motorised transportation and other mechanisms to increase the number of passengers per vehicle. For such a strategy to be attained, the municipality must allow for the densification of areas of town that are easily accessible by pedestrians and cyclists and support the use of bicycles and motorbikes in lieu of motor vehicles. The application site is ideally situated within walking distance from all surrounding amenities which is easily accessible via the recently upgraded pedestrian and cycle paths along the Eerste River.

4.3.3 The Stellenbosch Municipality Spatial Development Framework, 2019

Existing Housing Demand:

As indicated in the 2019 Stellenbosch SDF, there is a vast shortage in accommodation in Stellenbosch, especially in and around the town centre. In the last few years, most developers focused their attention on the provision of student accommodation, which resulted in almost all new accommodation within and around the town centre to be exclusively targeted at students. This has left a large gap in the housing market for non-student rental accommodation.

Access and Movement:

The redevelopment of this site will support non-motorised transport as the site is ideally situated within walking distance from all surrounding amenities.

Vision and Concept for the Area of the Site

The SDF points out that the Municipality should “*Pro-actively support higher density infill residential opportunity in the town centre and areas immediately surrounding it*”. The development proposal is clearly in line with this vision as it provides sensible infill development close to the town centre.

5. CONCLUSION

The approval of this application is argued to be favorable, considering the nature of this application, the applicable policies and frameworks of the Stellenbosch Municipality and the legislation in terms of land use regulation. In light of the above information, Council is respectfully requested to favorably consider the application for the following:

- i. **Permanent departure** to allow for a **street building line** on Koch Street of **1.2m** in lieu of **4.5m**.
- ii. **Permanent departure** to allow for a **street building line** on Suidwal Street of **0m** in lieu of **4.5m** (roofed pedestrian entrance).
- iii. **Permanent departure** to allow for less than the prescribed **open space** requirement of **20%**.
- iv. **The removal of the following restrictive title deed conditions** from Deed of Transfer No. T33769/2022.
 - C. (c)

Report compiled by:



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for Arch Town Planners (Pty) Ltd

October 2022

