NOTICE OF LAND DEVELOPMENT APPLICATION

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS, COMMON BUILDING LINE DEPARTURE AND COVERAGE DEPARTURE: ERF 2306, STELLENBOSCH

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

Application Property Address: 4 Verreweide Street, Stellenbosch, 7600

Application Property Number: Erf 2306 Stellenbosch

Applicant: Urban Dynamics – Wickus Neethling - 084 941 2063 / wickus@udwc.co.za

Owner: 20 on Schoon (PTY) LTD – 021 887 9184 / donovan@atmg.co.za

Application Reference: LU/17582 (TP882/2024)

Description of land development proposal:

1. Application is made in terms of Section 15(2)(f) of the Stellenbosch Municipal Land Use Planning By-law, 2023, for the removal of the restrictive title deed condition, Condition B1 - B7 as contained in Title Deed No. 33913/2024 in order to construct a block of flats on Erf 2306, Stellenbosch.
2. Application is made in terms of Section 15(2) (b) of the Stellenbosch Municipal Land Use Planning By-law, 2023 for a departure to relax the:
   a. Common building lines (adjacent to Erven 15728 & 2307) from 6,0m to 4,5m for the 2nd and 3rd floors for purposes of a block of flats: and
   b. Permissible coverage from 75% to 78% to accommodate the proposed block of flats.

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: Urban Dynamics: Wickus Neethling at wickus@udwc.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 **12 February 2025**.

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 084 941 2063 during normal office hours.

Yours faithfully

Wickus Neethling
For Urban Dynamics

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

AANSOEK OM OPHEFFING VAN BEPERKENDE TITELAKTE VOORWAARDES, GEMEENSKAPLIKE BOULYN VERSLAPPING EN VERSLAPPING VAN DIE DEKKING: ERF 2306, STELLENBOSCH

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

Adres van aansoek eiendom: 4 Verreweide Straat, Stellenbosch, 7600

Aansoek eiendom beskrywing: Erf 2306 Stellenbosch

Aansoeker: Urban Dynamics – Wickus Neethling - 084 941 2063 / wickus@udwc.co.za

Eienaar: 20 on Schoon (Edms) Bpk – 021 887 9184 / donovan@atmg.co.za

Aansoek Verwysing: LU/17582 (TP882/2024)

Besonderhede van die grondgebruiksaansoek:

1. Aansoek word gedoen ingevolge Artikel 15(2)(f) van die Stellenbosch Munisipaliteit se Verordeninge op Grondgebruikbeplanning, 2023, vir die opheffing van die beperkende titelaktevoorwaardes, Voorwaardes B1 - B7 soos vervat in Titelakte No. 33913/2024 ten einde 'n woonstelblok op Erf 2306, Stellenbosch te bou.
2. Aansoek word gedoen ingevolge Artikel 15(2)(b) van die Stellenbosch Munisipaliteit se Verordeninge op Grondgebruikbeplanning, 2023, vir 'n afwyking van die volgende:
   a. Gemeenskaplike boulyne (aangrensend aan Erwe 15728 & 2307) van 6,0m tot 4,5m vir die 2de en 3de verdiepings vir doeleindes van 'n woonstelblok: en
   b. Toelaatbare dekking van 75% tot 78% om die voorgestelde woonstelblok te akkommodeer.

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 toeganklik 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 terme 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: Urban Dynamics: Wickus Neethling by wickus@udwc.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 **12 Februarie 2025.**

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 084 941 2063 gedurende normale kantoor ure.

Die uwe

Wickus Neethling
Vir Urban Dynamics

SEPTEMBER 2024

ERF 2306 STELLENBOSCH

Application for SDP approval, LDP approval, Removal of restrictive conditions, Permanent building line departure, and Permanent floor area departure

ATM GROUP

URBAN DYNAMICS CAPE
TOWN & REGIONAL PLANNERS

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SECTION A BACKGROUND

1. BRIEF

20 On Schoon (Pty) Ltd appointed Urban Dynamics Town and Regional Planners to prepare and submit an application for approval of a Site Development Plan (SDP) in order to develop multiple dwelling units/flats on Erf 2306, Stellenbosch. To accommodate the proposed development, application is also made for the approval of a Landscape Development Plan (LDP), removal of restrictive conditions contained in the title deed, a permanent common boundary building line departure on the second and third floors, and a permanent floor area departure. The Power of Attorney and Company Resolution is attached hereto as ***Annexure A***.

2. PROPERTY DESCRIPTION, OWNERSHIP AND SIZE

Ownership details of the subject property is illustrated by ***Table 1*** below, the Surveyor General Diagram is attached hereto as ***Annexure B***.

Erf number / Description	Ownership	Title Deed Number	Extent (title deed)
Erf 2306 Stellenbosch	20 On Schoon (Pty) Ltd	T33913/2024	1725 m2

Table 1: Property Particulars

3. APPLICATION DETAILS

Application is hereby made in terms of Section 15(2) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023) for:

i. Approval of a Site Development Plan in terms of Section 15(2)(g) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023).

ii. Approval of a Landscape Development Plan in terms of Section 15(2)(g) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023).

iii. Removal of restrictive conditions B.1 – B.7 contained in Title Deed T33913/2024 in terms of Section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023).

iv. A permanent common boundary building line departure on the northern and southern boundary of 4.5 meters in lieu of 6 meters on the second floor and third floor in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023.

v. A permanent floor area departure of 78% in lieu of 75% in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023.

Given the current zoning of the property, the minimal impact on the surrounding properties and neighbourhood, the nature of the application, and the minor departures required application is also made for exempt from public notification.

SECTION B CONTEXTUAL INFORMANTS

4. LOCALITY

The application area (Erf 2306 Stellenbosch) is located within the eastern section of Stellenbosch, north of the Jan Marais Nature Reserve. The eastern boundary of the subject property adjoins the Two on Cluver multi-unit residential development and on the western edge Verreweide Road (refer ***Figure 1***).

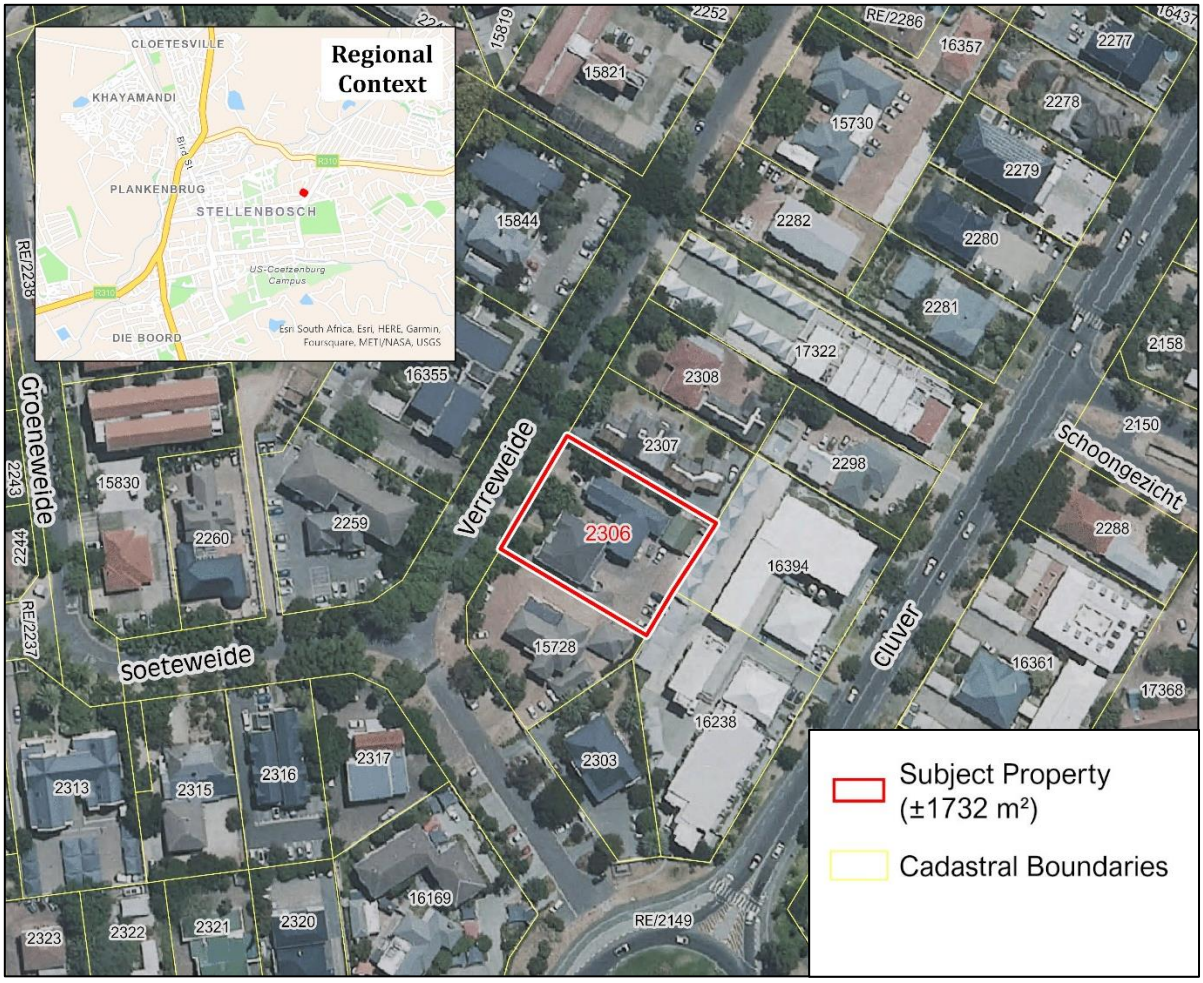


Figure 1: Local Context

5. CURRENT ZONING

The current zoning of the subject property and surrounding context is illustrated by ***Figure 2*** and ***Table 2***. The zoning is as follows:

Erf	Current Zoning	Current Land Use
Erf 2306 Stellenbosch	Multi-unit Residential Zone	Commune

Table 2: Zoning and Land Use

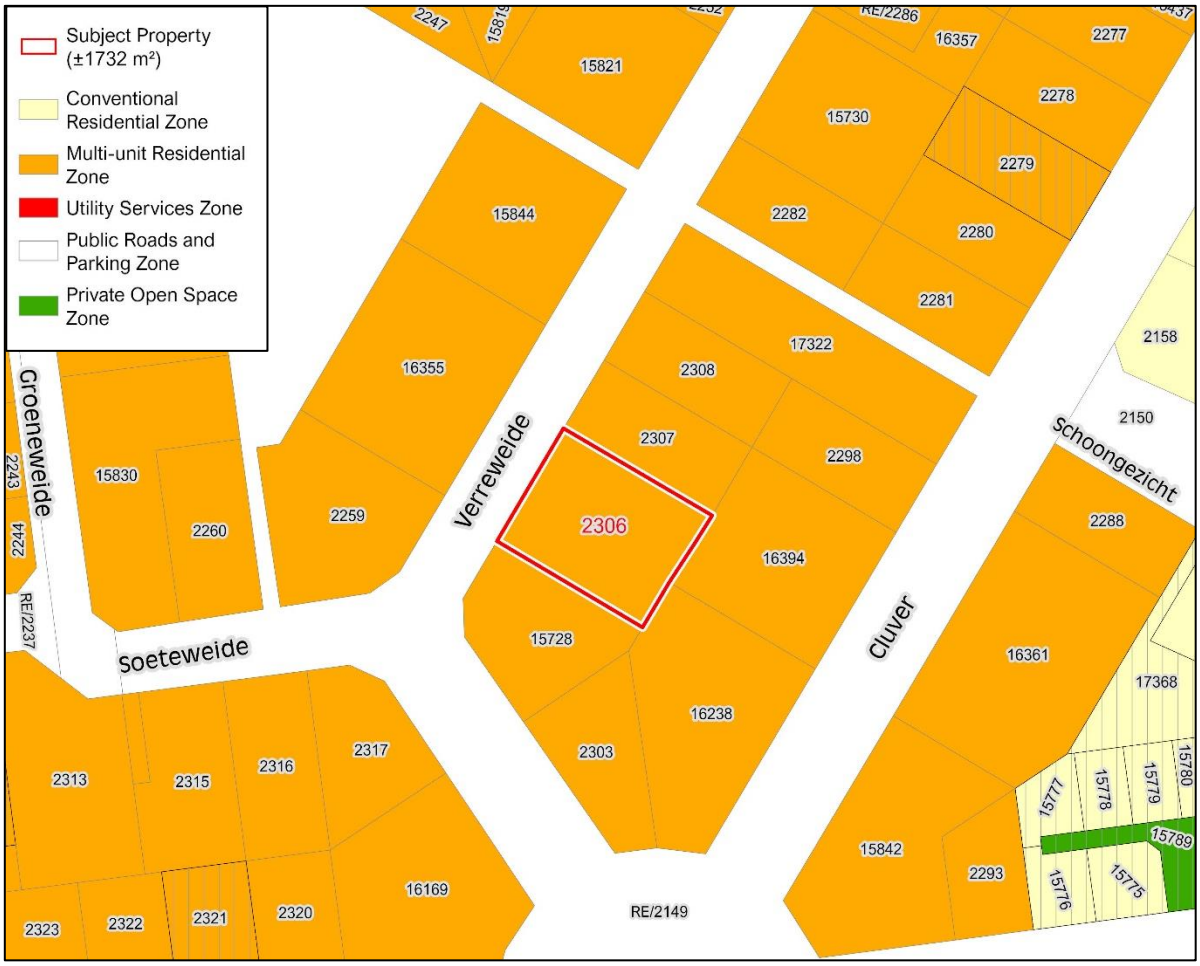


Figure 2: Zoning Context

SECTION C DEVELOPMENT PROPOSAL

6. DEVELOPMENT DESCRIPTION

6.1 Proposed Development

This application specifically relates to approval of a Site Development (SDP) in order to develop 32 flats/units on Erf 2306 Stellenbosch. 20 Flats will consist of studio apartments and 12 flats will accommodate two bedrooms. The proposed Site Development Plan, floor plans and side elevations are illustrated by ***Figures 3*** to ***6*** below.

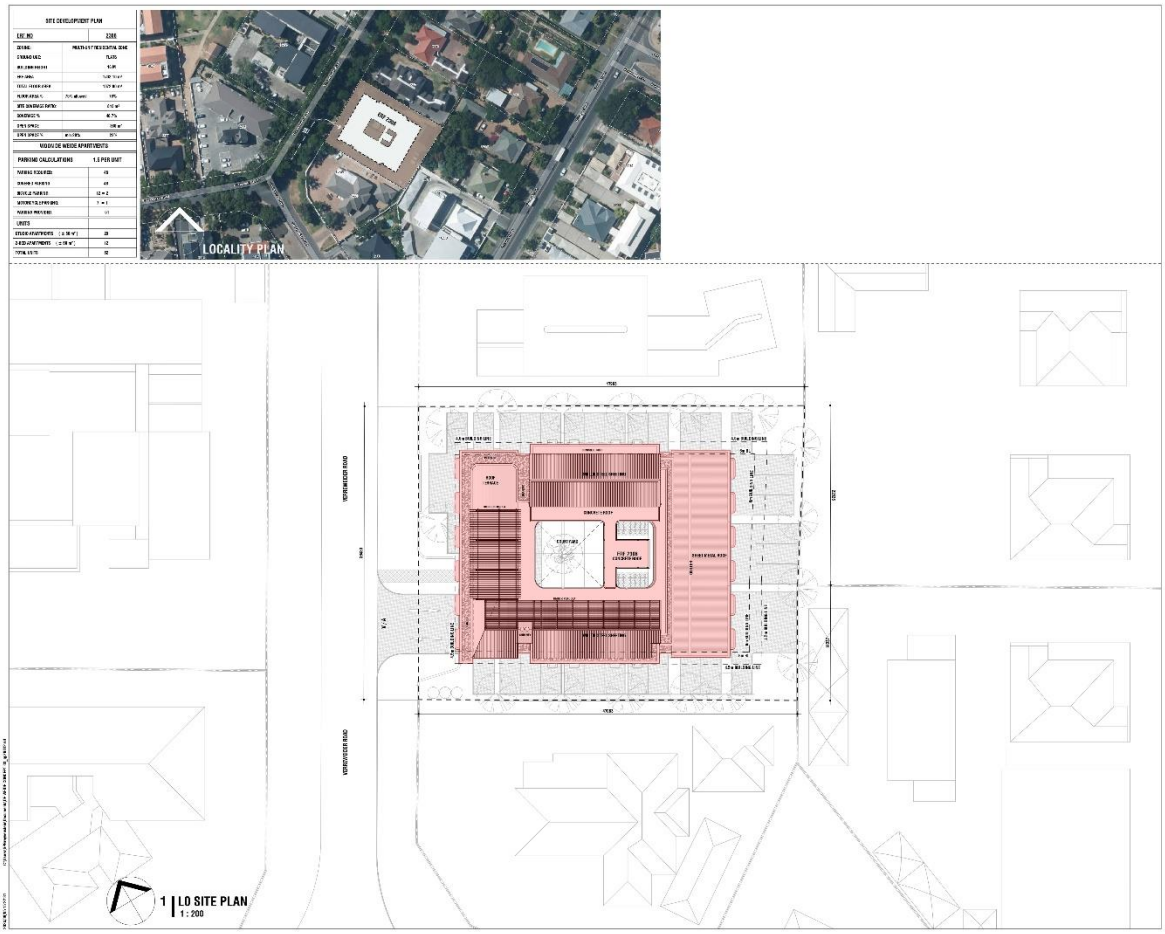


Figure 3: Proposed Site Development Plan

As indicated by the proposed Site Development Plan, the land use will be limited to Flats, the height will not exceed 16 meters, the coverage equates to 46.7%, the total floor area will be 78%, sufficient open space has been provided (380 m^2) and sufficient parking space has been accommodated on site.

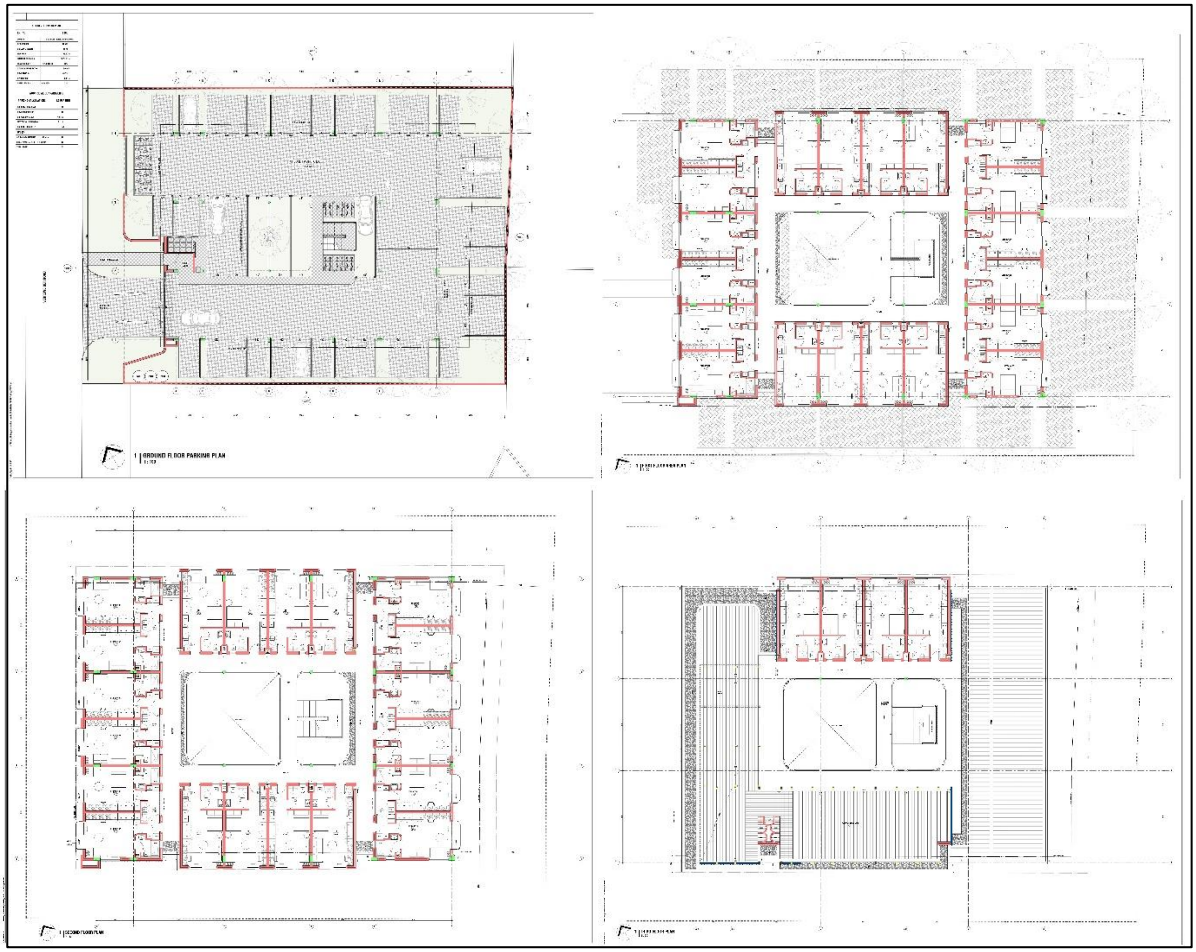


Figure 4: Proposed Floor Plans

Figure 5: Proposed 3D representation from Verreweide Street

Figure 6: Proposed Side Elevations

6.2 Building Development Parameters

The proposed development was compared with the building development parameters as contained in the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (amended 2023), and is illustrated by ***Table 3*** below.

Building Development Parameters		
	Permitted	**Proposed**
Zoning	Multi-Unit Residential Zoning	Multi-Unit Residential Zoning
Primary Uses	Commune, Dwelling house, Flats, Group housing, Guest house, Hostel, Retirement village, Second dwelling house, Tourist dwelling unit, Private road.	Flats
Street Boundary Building Lines	All Levels: 4.5m	All Levels: 4.5m
Common Boundary Building Lines	Ground floor: 4.5m First floor: 4.5m Second floor: 6m Third floor: 6m	Ground floor: 4.5m First floor: 4.5m Second floor: 4.5m Third Floor: 4.5m

Coverage	50%	46.7%
Height	4 Storeys	Ground + 3 Levels
Floor Area	75%	78%
Parking	Required 48 bays	Provided 51 bays
Outdoor Space	20%	22%

Table 3: Building Development Parameters

Given the above, a permanent common boundary building line departure is required on the second floor and third floor as well as a floor area departure. Details and motivation related to the required departures are further explained in Section D of this report.

6.3 Landscape Development Plan

A formal pre-application consultation was held on 27 August 2024, with the Stellenbosch Municipality. During said consultation a request was made by the Municipality that a Landscape Development Plan (LDP) be submitted with the land use application to illustrate the position of existing trees.

Nuvorm architect prepared Landscape Development Plan illustrating the position of existing trees in the road reserve (to be retained), proposed trees, proposed shrubs, and ground covers as well as irrigation specifications. ***Figure 7*** below illustrates the proposed LDP.

Figure 7: Proposed Landscape Development Plan

7. SERVICES & TRAFFIC

The services report for the development is included in ***Annexure C*** of this application document as provided by BSI Consulting Engineers (4 September 2024).

A Traffic Impact Statement (dated September 2024) for the proposed development on Erf 2306 Stellenbosch was prepared by Sturgeon Consulting and is attached hereto as ***Annexure D***.

The findings of both these reports are summarised in the sections below.

7.1 Water Supply

The demand for potable water for the proposed development is calculated as follows: Apartments: 32 units @ 0,45 kl/unit/day = 14.4 kl/day.

The Stellenbosch Municipality's water reticulation network currently includes a 100mm diameter pipeline located in Verreweide Street. The Municipality has indicated that an upgrade of the existing watermain to 250mm Ø is required to provide sufficient capacity for the proposed development.

7.2 Sewerage

Sewage run-off from the proposed development is calculated as follows: Apartments: 32 units @ 0,40 kl/unit/day = 12.8 kl/day.

The Municipality's sewerage network located in Verreweide Street has been assessed and found to have sufficient spare capacity to accommodate the proposed development.

7.3 Stormwater Drainage

Stormwater from the developed property will be connected to the existing stormwater drainage system in Verreweide Street. As the size of the property is only 1732 m², no attenuation of stormwater is proposed.

7.4 Solid Waste Removal

Solid waste generated by the development is calculated as follows: Apartments: 32 units @ 0.02 t/unit/week = 0.64 t/week.

A solid waste yard will be provided on the boundary with Verreweide Street from where the development will be serviced by the Municipality.

7.5 Traffic

The Traffic Impact Statement (TIS) summarises the existing transportation conditions within the site's vicinity, provides an assessment of the transportation impacts of the proposed development on the surrounding road network and provides recommendations about improvements to mitigate negative impacts. The main findings of the statement can be summarised as follows:

- This TIS is in support of the application for the proposed residential development on Erf

2306 in Stellenbosch.

- The development has the potential to generate 21 trips during the AM peak hour (5 in, 16 out) and 21 trips during the PM peak hour (15 in, 6 out).
- The number of trips that will be generated by the proposed development is minimal (<50 peak hour trips) and will have an insignificant traffic impact.
- The proposed access to the development will be off Verreweide Road, ±45m northeast of the Soeteweide Road / Verreweide Road intersection.
- The existing two accesses will be permanently closed.
- The proposed access will have a two-lane cross-section and be stop-controlled on the development side.
- Sufficient access spacing is available between the proposed access and the Soeteweide Road / Verreweide Road intersection.
- A minimum throat length of 6m (one vehicle) must be provided between the gate and the edge of Verreweide Road.
- Sufficient throat length is available.
- Parking will be provided in accordance with the *Stellenbosch Municipality Zoning Scheme By-Law, 2019 (Amended 2023)*. A total of 48 parking bays are required on-site.
- According to the latest SDP 48 vehicular parking bays, 7 motorcycle parking bays and 12 bicycle parking bays will be provided on-site for the proposed development.
- This equates to a total of 51 parking bays being provided on site for the proposed development. Sufficient parking is thus provided on-site.
- It is proposed that a sidewalk be constructed along the frontage of Erf 2306 along Verreweide Road to accommodate non-motorised transport users.
- No further non-motorised transport improvements are proposed.
- No additional public transport improvements are required.
- The detailed design of the above-mentioned road infrastructure be approved by the relevant Road Authorities before construction commences.

7.6 Heritage Considerations

Heritage Western Cape (HWC) issued a demolition permit (total demolition) on 22 August 2024 in terms of Section 34 of the National Heritage Resources Act, 1999 (Act 25 of 1999) and Regulation 3(3)(a) of PN 298 (29 August 2003), a copy of said permit is attached hereto as ***Annexure E***. No conditions were imposed as part of the approval except for the following note: "*If any archaeological material or evidence of burials is discovered during earth-moving activities all works must be stopped and Heritage Western Cape must be notified immediately*",

7.7 Conclusion

From the above it is concluded that the required basic civil engineering services for the proposed development, i.e. potable water, sewerage, and solid waste removal can be accommodated by the Stellenbosch Municipality in their existing infrastructure and from an engineering services perspective the development can be supported. It was also concluded by the traffic impact assessment that the proposed development will have an insignificant traffic impact and can be accommodated by the adjacent transport network. From a traffic engineering perspective, the approval of the application for this development is supported and it is recommended that the development be approved.

SECTION D MOTIVATION & DESIRABILITY

8. APPLICATION MOTIVATION

As stated in the sections above, this application relates to approval of a Site Development Plan for the intended development on Erf 2306 Stellenbosch, being 32 residential units/apartments. The proposed development will require rationalised services and access arrangements, which are also addressed in this application and attached supporting documentation. Furthermore, the application for the approval of a SDP includes application for deletion and amendment of title deed conditions, approval of a Landscape Development Plan, permanent common boundary building line departure on the second floor and third floor, and a permanent floor area departure.

The proposed applications are hereby motivated, as follows:

8.1 Site Development Plan & Landscape Development Plan

It should be reiterated that the SDP submission herein is primarily aligned with the zoning of the subject property, this application merely being the SDP submission in response to the existing zoning.

Following the above-mentioned, it can now be concluded that:

- The proposed SDP most positively response to the existing approved zoning rights of the application site.
- The SDP has been specifically refined and designed to comply with most of the conditions / building development parameters as defined by the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (amended 2023).
- Internal vehicular access and arrangements of the proposed development will have no adverse impacts on the existing transport conditions, and it was ensured that effective and safe onsite vehicular management will be facilitated.
- It can be concluded that the SDP submission contained herein is indeed a positive response by the developers to commence with residential development within an excellent location.
- The development will result in numerous employment opportunities during construction phase.
- It is our considered view that the proposed residential development, as presented in the SDP contained herein, will contribute measurably to local investment, economic growth, employment, and household income.

8.2 Removal of Restrictive Conditions

With reference to the application description in the above-mentioned sections of this report, it is proposed that certain existing title deed conditions be deleted/removed as described and motivated below:

" B.1 The lots shall be utilised for residential purposes only, and only one residence shall be erected on each lot, provided, however, that a semi-detached residence may be erected on any lot subject to the conditions of Clause 4 hereof.

B.2 Buildings in terms of Clause 4 hereof, shall be erected on each lot by the owner within three years from the date of purchase, failing which the owner shall pay to the Council annually an amount equal to 2,5 per cent on the original purchase price of the lot, which annual payment shall continue until such time as the buildings are erected and completed.

B.3 In the event of one party purchasing two adjacent lots, he shall be allowed to build on the one lot, and be exempted from the penalty provided for in Clause 2 in respect of the other lot. Should the purchaser choose to build a residence standing on both lots, he may do so, provided that no other residence shall be erected on either lot.

B.4 Plans of all proposed buildings must be submitted in duplicate to the Council for approval, and no building shall be commenced until Council's approval thereof has been granted. The buildings on each lot shall be a minimum value of R1 500,00. The architectural features of all elevations and in regard to lots abutting on the Jan Marais Park, the hedges, fences and walls, shall harmonise with the scheme of Town Planning as designed by the Council, and with the surrounding properties.

B.5 All buildings shall be erected not less than 6,30 metres from the front or street boundary line of the lot, and not less than -3, 15 metres from the side and back boundary lines of the lot.

B.6 The lots to be sold being exclusively for· residential purposes, no trade or business with the exemption of private hotels or boarding houses, shall be carried out on any lot.

B.7 No Subdivision of any lot shall be made without the sanction of the Council first had been obtained" .

The removal of clauses B.1 to B.7 from Title deed T33913/2024 (attached hereto as ***Annexure F***) is further motivated on the following basis:

- **Economic Impact**

  The relevant clauses relate to the original township establishment conditions dating back to 1926. The said conditions specified certain restrictions in terms of land uses, building time frames and penalty payments, adjacent lots owned by one party, minimum value, architectural features restrictions, building line restrictions, and subdivision restrictions on the property. These conditions are quite onerous when considering it relative to current applicable zoning parameter specified in the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (amended 2023) for Multi-unit Residential zoned properties. By removing these conditions and allowing development parameters of the current zoning scheme to be applicable, the economic potential of the property and thereby resultant economic benefits to the area can be unlocked, i.e. investment in infrastructure, employment creation, and enhanced urban qualities. The surrounding landowners within the precinct will therefore also benefit from the proposed application, and the overall economic impact will therefore be positive.

- **Impact on Beneficiaries**

The township establishment conditions of 1926 were in favour of the entire township (General Plan S102). It is therefore worth noting that by removing these historical conditions there will be no negative or adverse impacts on the rights of the landowners within the township. They currently have no financial benefit due to the conditions being in place and will therefore not suffer any losses / damages due to uplifting the said conditions. In fact, by allowing the application site to achieve its reasonable permissible zoning rights as per the latest applicable Zoning Scheme for Multi-unit Residential properties, the broader area will benefit in terms of the improved urban development and resultant positive implications for property values, etc.

The removal of the restrictive title deed conditions will therefore bring about benefit not only to the landowners of the application site, but also to the local community and broader environs.

- **Policy Alignments**

  It is important to note that the township establishment conditions applicable to the application site are in contradiction to the Municipality's latest policy objectives applicable to the area. This is evident in the latest Stellenbosch Spatial Development Framework (2023), which designates the area for residential intensification, within the urban edge and within close proximity of an activity route. By removing the title deed conditions and thereby the restrictive aspects imposed by the township establishment conditions, the site will have the potential to align with the most current policy objectives of the Municipality.

- **Character of the Area**

  The application site is an established residential site with existing residential densification developments adjacent to the site and within its immediate context. The proposed SDP and LDP approvals, removal of restrictive conditions and permanent departures to allow for the redevelopment of the property, will not detract from the character of the area. There are already various established multi-unit residential sites towards the residential area to the north east. The proposed removal of title conditions will therefore not detract from the character and quality of the area.

- **Legislative Changes**

  It should be noted that the restrictive conditions in clauses B.1 to B.7 of Title deed T33913/2024 were imposed by legislation preceding the former Townships Ordinance 33 of 1934 and. The said ordinance is the precursor to the previous Land Use Planning Ordinance, Ordinance 15 of 1985. It is therefore evident that the said conditions served the role of development rules at a time when municipal zoning scheme regulations were not in place. Currently, there are more relevant legislation specifically drafted to guide and regulate land use development in the urban areas of Stellenbosch. The relevant legislation is now the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023) and the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (amended 2023), which are proclaimed legislation in terms of the provisions of national law, namely the Spatial Planning & Land Use Management Act (SPLUMA, 2013). This substantiates the motivation that the conditions in the title

deed are no longer relevant, since the legislation that imposed these conditions, are no longer relevant.

In conclusion, taking into consideration of the above motivation, it is hereby motivated that the title deed and the original township establishment conditions no longer serve the purpose of guiding land use development in this area. In fact, recently approved relevant development management legislation now fulfils this role effectively in the Stellenbosch Municipality as a whole, while spatial planning policies sets the objectives and principles for the desired urban form in specific areas.

By removing the said conditions, the zoning parameters and policy objectives of the Municipality will remain in place and continue to guide and regulate the type and intensity of land use permissible on the site, which will be more appropriate and fitting as the general accepted mechanism for land development management.

8.3 Permanent Departures

These proposed permanent common building line departures and permanent floor area departure are motivated on the following basis:

8.3.1 Common Building Line Departure

In order to achieve development of the proposed Site Development Plan, certain common building line departures are required in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 (amended 2023). ***Table 4*** and ***Figures 8 & 9*** presents a summary of the afore-mentioned departures which are being applied for in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (amended 2023).

Multi-Unit Residential Zone: Flats – Stellenbosch Zoning Scheme By-Law 2019 (amended 2023)			
	Permissible/ Requirement	Proposed Development	Compliance
Ground Floor	Street: 4.5m Common: 4.5m	Street: 4.5m Common: 4.5m	✓ **Compliant** ✓ **Compliant**
First Floor	Street: 4.5m Common: 4.5m	Street: 4.5m Common: 4.5m	✓ **Compliant** ✓ **Compliant**
Second Floor	Street: 4.5m Common: 6m	Street: 4.5m Common: 4.5m	✓ **Compliant** X **Departure**
Third Floor	Street: 4.5m Common: 6m	Street: 4.5m Common: 4.5m	✓ **Compliant** X **Departure**

Table 4: Common Boundary Building Line Departures Required

The building line departures are motivated as follows:

- Three minor portions of the proposed building encroach the 6m common building line along the northern and southern boundary on the second and third floors. An application is submitted to allow for a 4.5m building line in lieu of 6m on the northern and southern boundary on the second and third floors. The proposed building line departure will have no material impact on neighbouring properties and is minor in nature.

- An active street frontage is promoted as all residential units are orientated "outwards".
- The scale and massing of the proposal does not dominate the immediate surrounds.

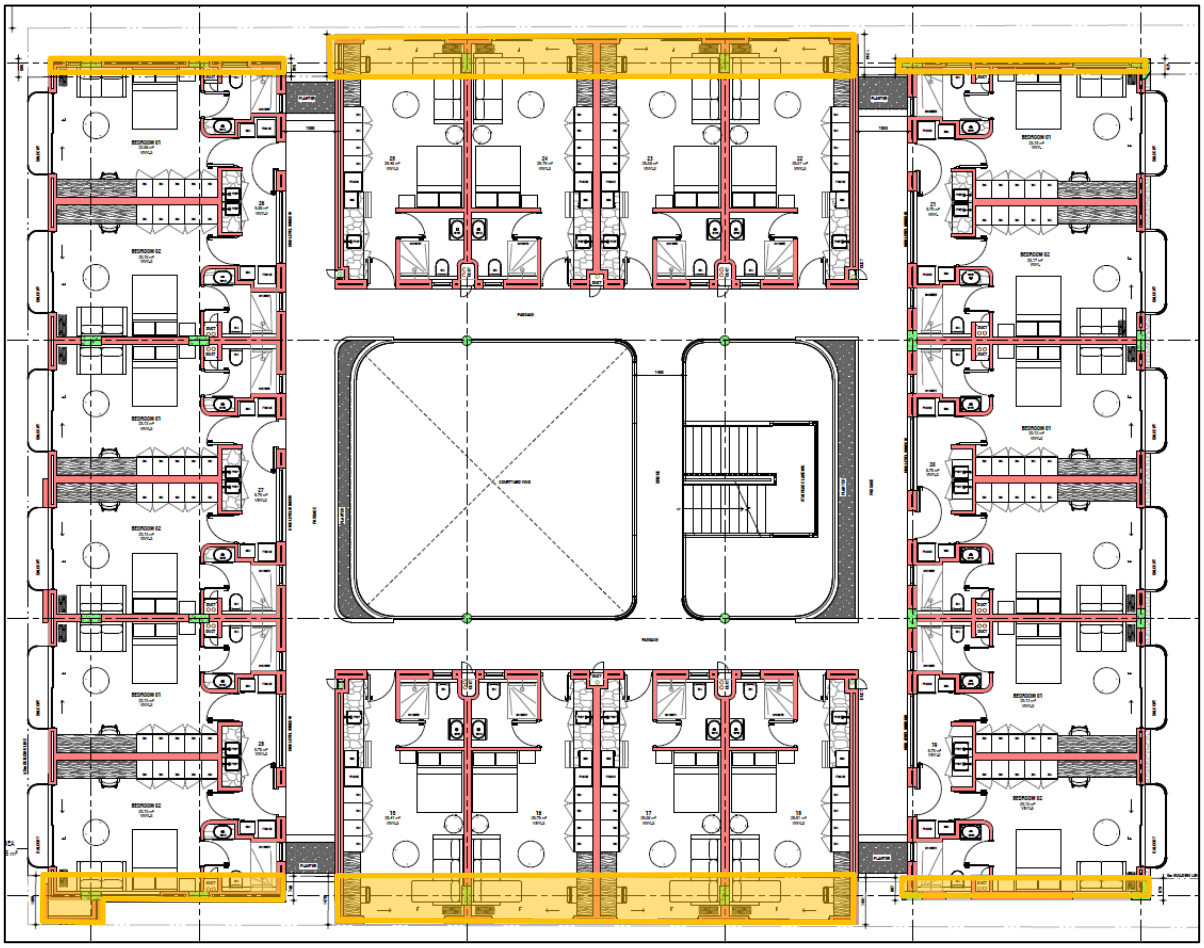


Figure 8: Common Boundary Building Line Departures Required on Second Floor

- A high-quality landscaped edge (sidewalk) will be provided with appropriate fencing, creating a positive private-public interface.
- The steel balconies on the western side of the proposed building soften the interface with the street, reinforces the streetscape and creates a quality pedestrian environment.
- The building line departures will not have any negative impact on the character of the surrounding environment whatsoever.
- The development potential of the site is optimised, but not over-bulked.

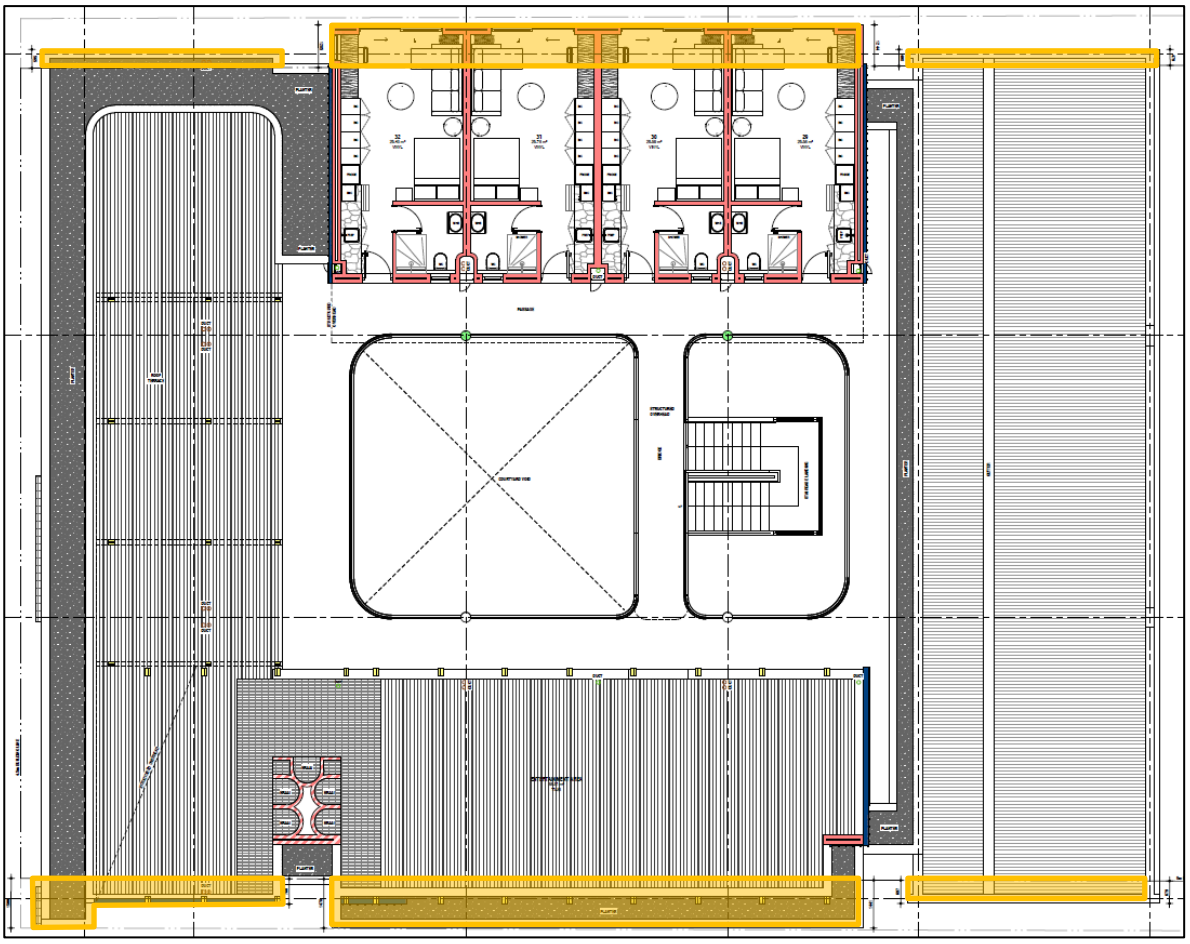


Figure 9: Common Boundary Building Line Departures Required on Third Floor

The proposed development does require certain minor permanent building line departures, but in our considered opinion and based on the architecture and landscaping, the departures will not have a material impact on the surrounding environment. In fact, the proposal will fit into the context of the surrounds, positively contributing to the surrounding environment. The proposal will also contribute to addressing the increasing housing demand, consistent with municipality's policy directives.

Following the above, it can be concluded that the proposed permanent common building line departures will not have a material impact on the surrounding land use rights.

8.3.2 Floor Area Departure

The proposed Site Development Plan, results in the requirement for a permanent floor area departure of 78% in lieu of 75% applicable to Erf 2306 Stellenbosch.

The permanent floor area departure is motivated as follows:

- The application for a departure to alter the development rules relating to permitted floor space that does not exceed 10% and can accordingly be considered as a minor departure.

- The site is constraint in terms of its size, which result in the required floor area departure.

- The proposed building must be sized appropriately in order to accommodate sufficient outdoor space, therefore requiring the proposed departure.

- The proposed building will be a positive welcomed upgrade (in comparison to the current structure on site) in the area with great socio-economic benefits to the community and environs.

- The building is compatible with land use parameters of multi-unit residential zone erven in terms of land use, street building lines, coverage, height, parking and outdoor space, therefore being appropriate to its context.

- The building façades on the street boundary will establish positive interface conditions and activity onto street, which is aligned with urban design objectives.

- The additional coverage is consistent with the spatial objectives of intensified development in established areas within the Stellenbosch Municipality.

- The proposed development is consistent with development trends in its immediate surroundings and the proposed residential units do not have a negative impact on the character of the surrounding environment.

- The existing height of the building on the site is permitted as per the Municipality's zoning scheme. The development will therefore not be out of context when approving the departures.

When taking the aforementioned into account, it is our considered opinion that the required floor area departure will not have any negative impact on its surrounding spatial context, but given the most innovative and inclusionary design approach, will have a positive and revitalising impact on its directly surrounding environs and the surrounding area as a whole.

9. DESIRABILITY CRITERIA

The proposed development was evaluated in terms of the provisions of Section 65(c) the Stellenbosch Land Use and Planning By-Law, 2019 (amended 2023). The proposal meets the overall objectives and intent of this Section, as follows:

- Consistent with Provincial and Local Spatial Policy directives;
- Consistent with the surrounding character of the Stellenbosch residential area;
- No known negative impact on environmental or heritage resources, the proposed design was specifically done with these factors in mind;
- No negative impact on existing rights of any of the surrounding properties;
- Positive economic impact in terms of creating employment opportunities that will contribute positively to economic growth and investment;
- The proposed development supports the current residential densification in the area and will not have any known negative impact on traffic in the area;
- No negative impact on the safety and welfare of the surrounding communities;

- No negative impact on municipal services infrastructure, with upgrades specified as per the services reports.

10. PLANNING PRINCIPLES

10.1 Land Use Planning Act (2014)

The Land Use Planning Act (LUPA 2014) includes a series of land use principles that should guide development in the province. The planning principles were reviewed, and the proposed subdivision and parking departure were assessed. It is concluded that the proposal is fully compliant with the planning principles prescribed in the LUPA (2014), as shown by ***Table 5***.

LAND USE PLANNING ACT (LUPA, 2014) PRINCIPLES	COMPLIANCE/ RESPONSE
Spatial Sustainability ✓	**Fully Compliant** Land uses are appropriate to urban environs, carefully considered relative to its context. In addition, hereto, the proposed development is well integrated with the urban fabric, as well as the social, economic, natural, and ecological processes.
Spatial Justice ✓	**Fully Compliant** The proposed development will not exclude or segregate any population group but will in fact establish housing opportunities within the Stellenbosch Municipal area, which will have positive economic spin-offs.
Efficiency ✓	**Fully Compliant** The proposal incorporates alternative methods and initiative to reduce and minimise impact on municipal services networks. The clustering of the units and use of existing roads and parking areas will contribute to spatial efficiency.
Good Administration ✓	**Fully Compliant** The application is submitted in terms of the relevant legislative frameworks and will be processed accordingly.
SPATIAL RESILIENCE ✓	**Fully Compliant** The proposed land use application will contribute to the diversification and strengthening of the economy, thus contributing to spatial resilience.

Table 5: Planning Principles

10.2 Conclusion

Considering the above-mentioned motivation, planning principles and desirability criteria, it can be concluded that the proposed development is consistent with these criteria and can therefore be regarded as desirable with adequate mitigation to minimise potential impacts on the character of the surrounding urban area, existing spatial policies, and the safety and welfare of the community. It is our considered opinion that the proposed development will also make a positive contribution to economic growth and investment within the neighbourhood and Stellenbosch at large.

SECTION E CONCLUSION AND RECOMMENDATION

11 CONCLUSION

This application for the approval of a Site Development Plan, Landscape Development Plan, removal of restrictive title conditions, permanent common boundary building line departure, and a permanent floor area departure will not result in any additional or adverse impacts on the surrounding landowners in the immediate urban environs.

Considering the above-mentioned motivation, planning principles and desirability criteria, the proposal is fully consistent with the relevant considerations and can therefore be recommended as desirable. When taking the afore-mentioned motivational report into account, it is therefore our considered opinion that the proposed application/s to enable the development of Erf 2306 Stellenbosch, should be approved.

Given the current zoning of the property, the minimal impact on the surrounding properties and neighbourhood, the nature of the application, and the minor departures required application is also made for exempt from public notification.

12 RECOMMENDATION

Following the above assessment, it is our considered recommendation that the following applications be approved in terms of the Stellenbosch Municipality Land Use Planning By-Law to allow for the SDP and LDP approval for Erf 2306 Stellenbosch:

i. Approval of a Site Development Plan in terms of Section 15(2)(g) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023).

ii. Approval of a Landscape Development Plan in terms of Section 15(2)(g) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023).

iii. Removal of restrictive conditions B.1 – B.7 contained in Title Deed T33913/2024 in terms of Section 15(2)(f) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2019 (revised 2023).

iv. A permanent common boundary building line departure on the northern and southern boundary of 4.5 meters in lieu of 6 meters on the second floor and third floor in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023.

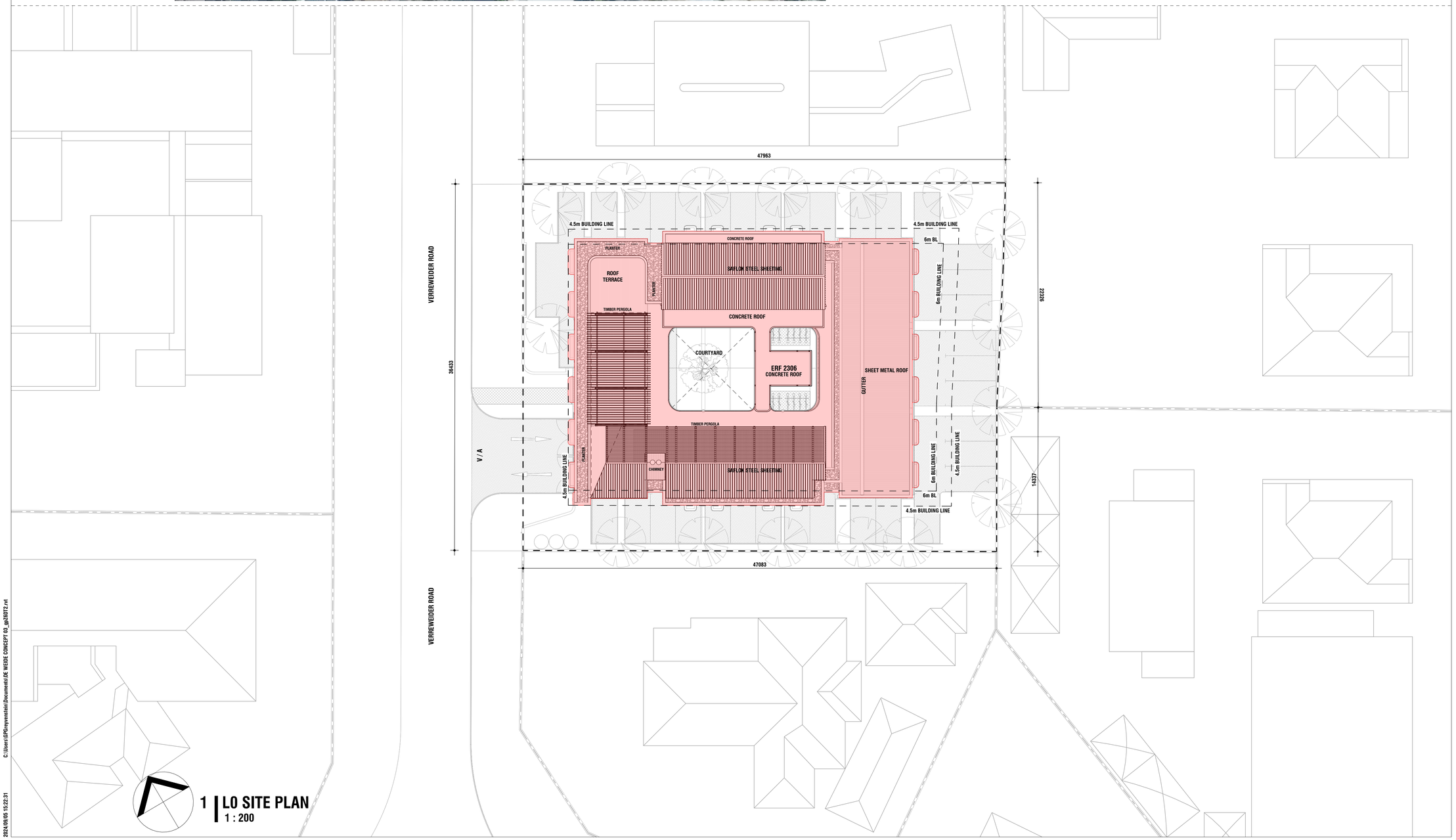
v. A permanent floor area departure of 78% in lieu of 75% in terms of Section 15(2)(b) of the Stellenbosch Municipality By-Law on Municipal Land Use Planning, 2023.

SITE DEVELOPMENT PLAN

ERF NO	2306
ZONING:	MULTI-UNIT RESIDENTIAL ZONE
GROUND USE:	FLATS
BUILDING HEIGHT	16 M
ERF AREA	1732.10 m²
TOTAL FLOOR AREA	1372.00 m²
FLOOR AREA %	75% allowed 78%
SITE COVERAGE RATIC:	810 m²
COVERAGE %	46.7%
OPEN SPACE	380 m²
OPEN SPACE %	min 20% 22%

WOON DE WEIDE APARTMENTS

PARKING CALCULATIONS	1.5 PER UNIT
PARKING REQUIRED:	48
COVERED PARKING:	48
BICYCLE PARKING:	12 = 2
MOTORCYCLE PARKING:	7 = 1
PARKING PROVIDED:	51
UNITS	
STUDIO APARTMENTS (± 30 m²)	20
2-BED APARTMENTS (± 60 m²)	12
TOTAL UNITS	32



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ERF 2306
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STELLENBOSCH

SITE PLAN

CODE	PHASE	DISCIPLINE	NUMBER	REV
24 AB	1	AR	0001	C

INFORMATION

SITE DEVELOPMENT PLAN

ERF NO	2306
ZONING:	MULTI-UNIT RESIDENTIAL ZONE
GROUND USE:	FLATS
BUILDING HEIGHT	16 M
ERF AREA	1732.10 m²
TOTAL FLOOR AREA	1372.00 m²
FLOOR AREA %	75% allowed 78%
SITE COVERAGE RATIO:	810 m²
COVERAGE %	46.7%
OPEN SPACE	380 m²
OPEN SPACE %	min 20% 22%

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2-BED APARTMENTS (± 60 m²)	12
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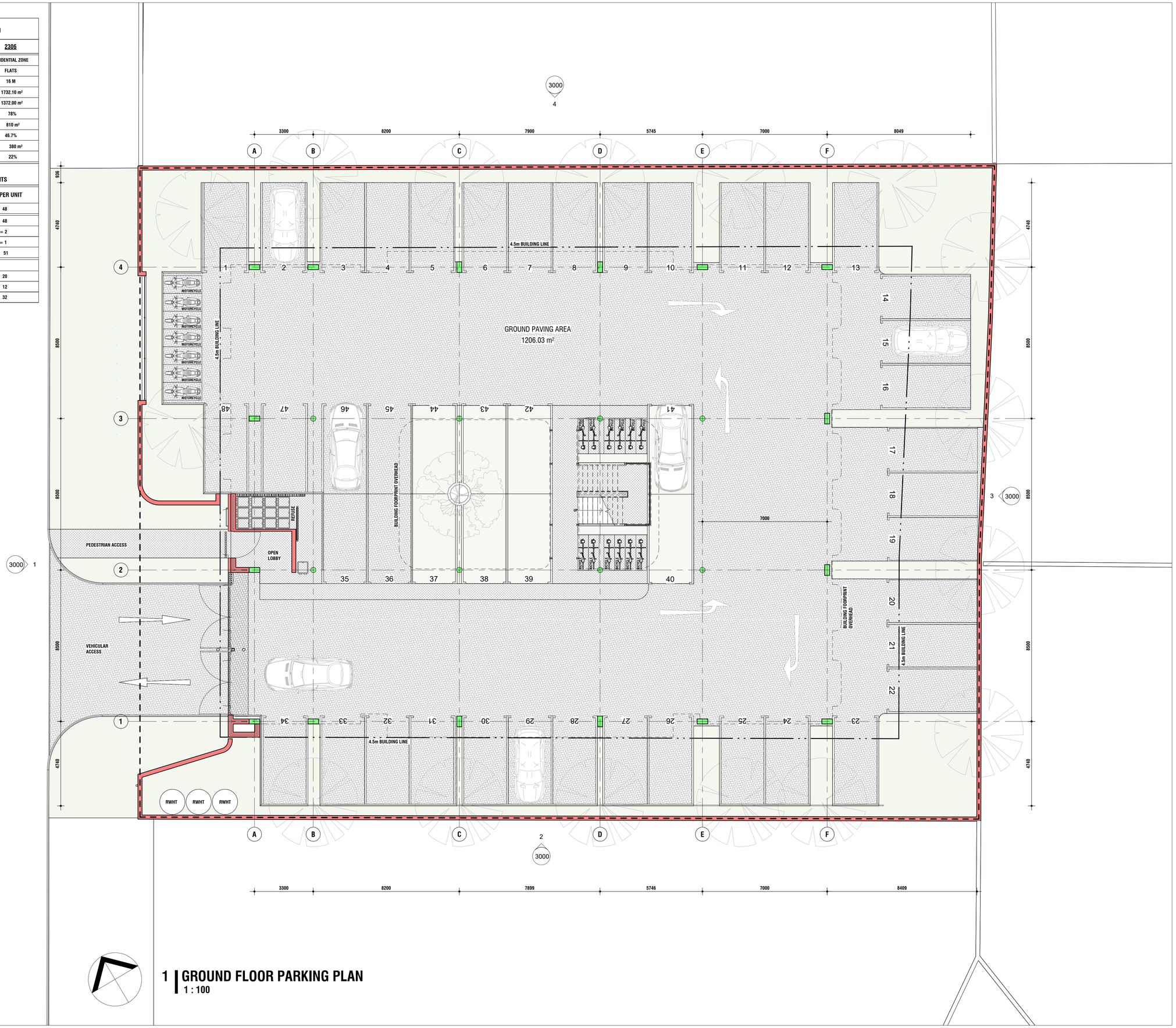

1 | GROUND FLOOR PARKING PLAN
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GROUND FLOOR

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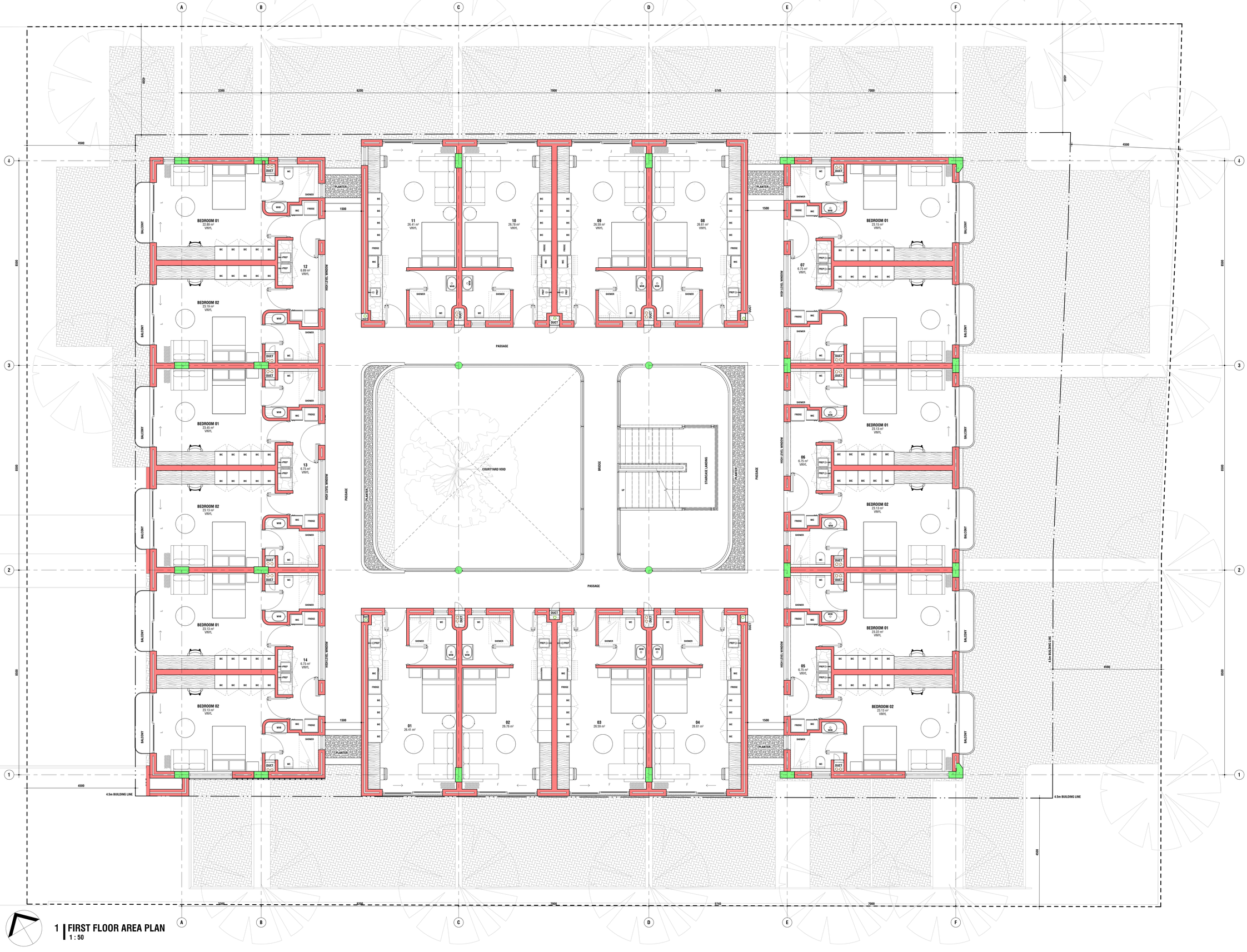

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4. The contractor shall set up, document and maintain a quality assurance and quality control system, in accordance with ISO 9001:2000, to be able to be checked to the satisfaction of the Architect, that all materials and workmanship, supplied and executed, meet the requirements of the Specification. Should the Contractor or any of his sub-contractors be certified to the SANS 9000 family of standards then monthly these works accordingly.
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FIRST FLOOR PLAN

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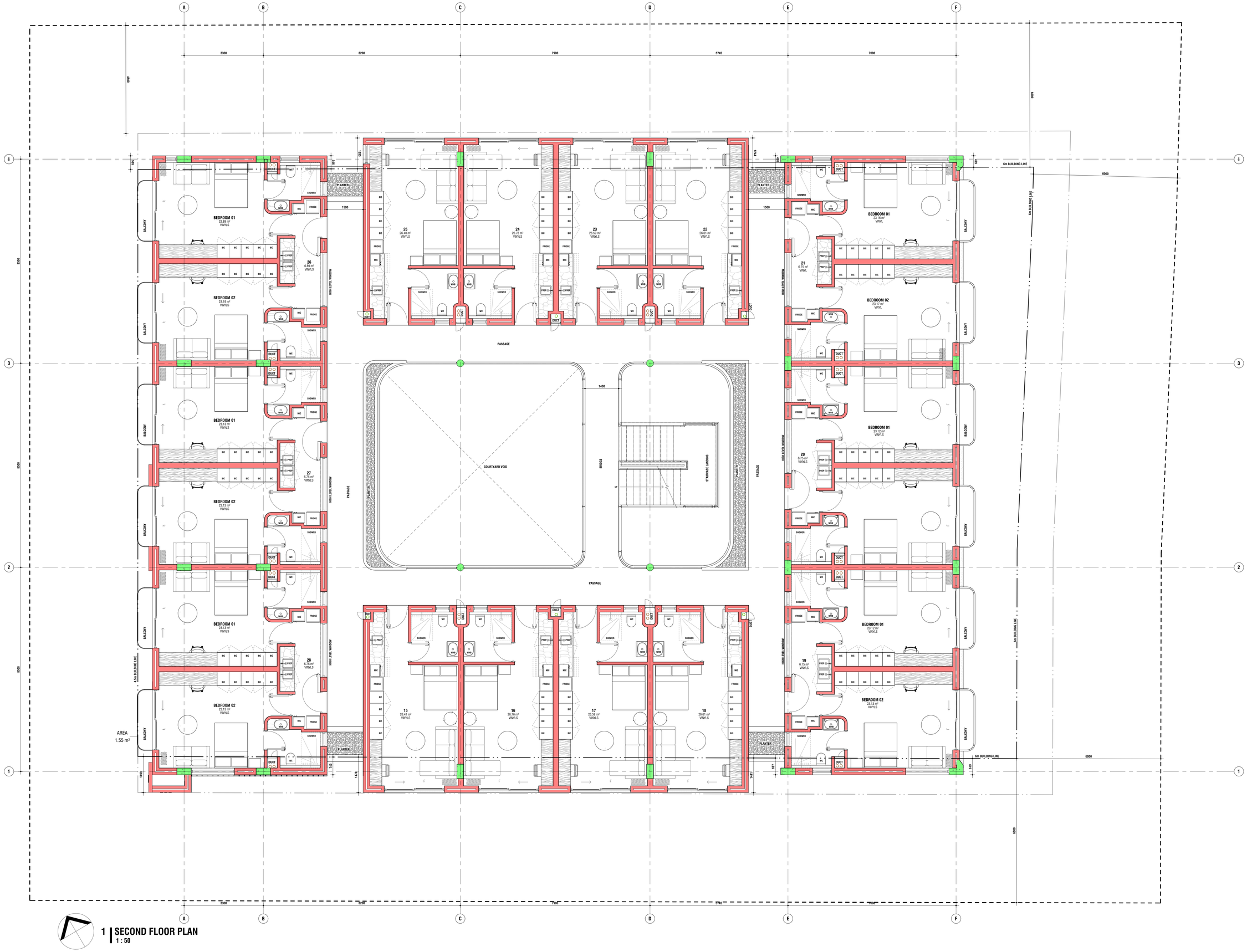

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3. The Contractor shall at all times be responsible for the safety of his employees in terms of Occupational Health and Safety Act, 1993 (Act No 85 of 1993) and any regulations promulgated in terms of that Act or the Factories Machinery and Building Works Act of 1941.
4. The contractor shall set up, document and maintain a quality assurance and quality control system, in accordance with SANS 10 1200, which will be able to be checked to the satisfaction of the Architect, that all materials and workmanship will comply in all respects with the requirements of the Specification. Should the Contractor or any of his sub-contractors be certified to the SANS 9000 family of standards then insofar these works accordingly.
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SECOND FLOOR PLAN

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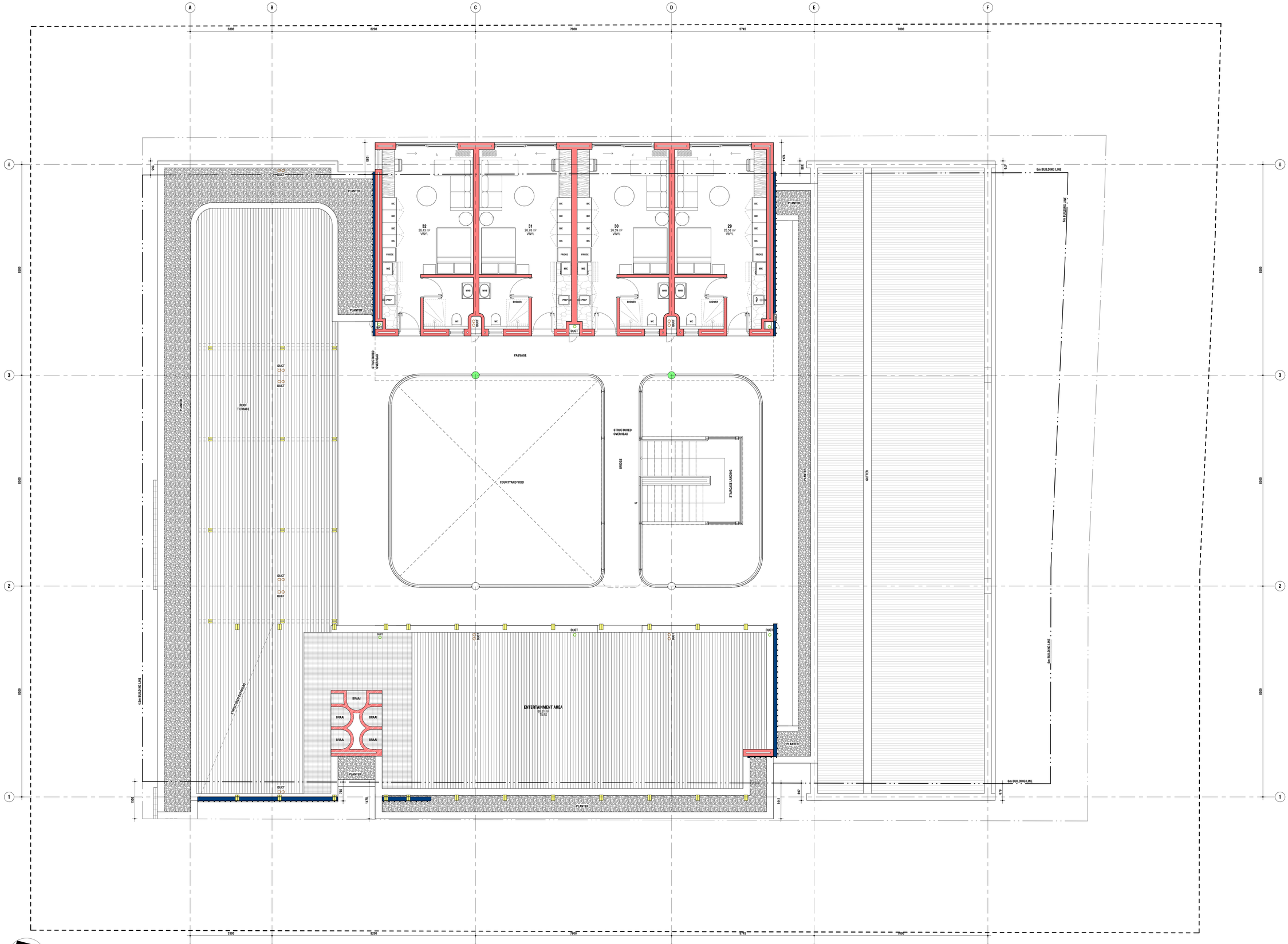

1 | THIRD FLOOR PLAN
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THIRD FLOOR PLAN

CODE	PHASE	DISCIPLINE	NUMBER	REV
24 AB	1	AR	1003	D

INFORMATION

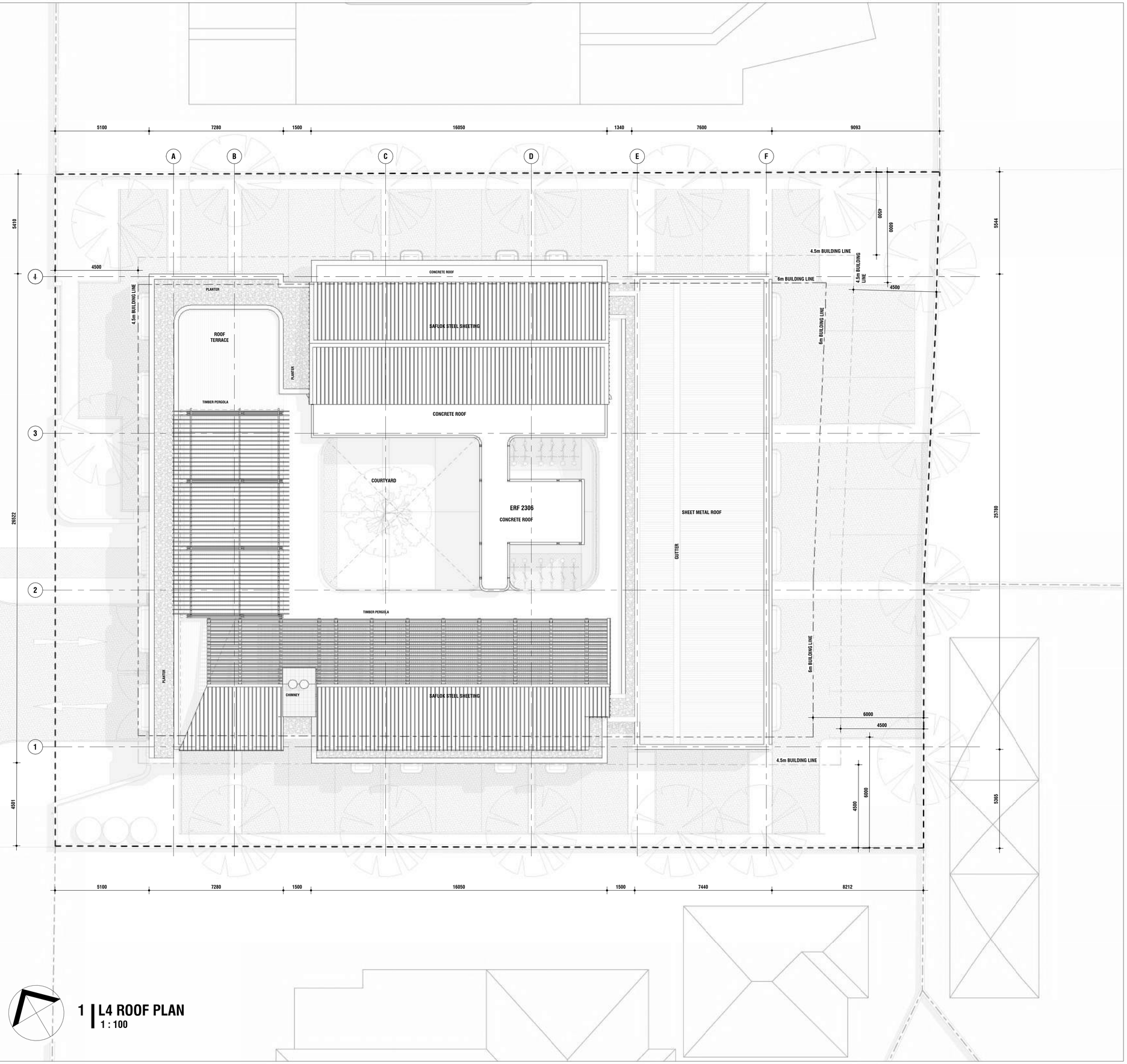
SITE DEVELOPMENT PLAN

ERF NO	2306
ZONING:	MULTI-UNIT RESIDENTIAL ZONE
GROUND USE:	FLATS
BUILDING HEIGHT	16 M
ERF AREA	1732.10 m²
TOTAL FLOOR AREA	1372.00 m²
FLOOR AREA %	75% allowed 78%
SITE COVERAGE RATIO:	810 m²
COVERAGE %	46.7%
OPEN SPACE	380 m²
OPEN SPACE %	min 20% 22%

WOON DE WEIDE APARTMENTS

PARKING CALCULATIONS	1.5 PER UNIT
PARKING REQUIRED:	48
COVERED PARKING:	48
BICYCLE PARKING:	12 = 2
MOTORCYCLE PARKING:	7 = 1
PARKING PROVIDED:	51
UNITS	
STUDIO APARTMENTS (± 30 m²)	20
2-BED APARTMENTS (± 60 m²)	12
TOTAL UNITS	32

VERREWEIDER ROAD



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ROOF PLAN

CODE	PHASE	DISCIPLINE	NUMBER	REV
24 AB	1	AR	1004	D

INFORMATION

STELLENBOSCH

ERF 2306

LOCAL CONTEXT

Subject Property (±1732 m²)

Cadastral Boundaries

PLEASE NOTE:
All boundary line positions, distances and property sizes need to be verified by a Professional Land Surveyor.

REF: C:\Users\user\Urban Dynamics\Communication site - DWG-NEW\Design_Studio_March_2020\Albert\Stellenbosch\Stellenbosch_Erf_2306\Plans

COMPILED BY: A ELLIS

INDEMNITY

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DATE: OCTOBER 2023

SCALE: SEE LINESCALE

PLAN NO:

FILE NAME:

N

0 5 10 20 m

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