

## NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

Sir / Madam

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2023, refers:

Application Property Address: 6 Helderberg Street, Stellenbosch, 7600

Application Property Number: Erf 1196, Stellenbosch

Applicant: TV3 Projects (Pty) Ltd – C Heys (contact details: 021 861 3800)

Owner: Subcocode (Pty) Ltd – J Kotzé (contact details: 072 902 8337)

Application Reference: TP1342/2025

Description of Proposed Development:

- Application is made i.t.o. Section 15.2(a) of the Stellenbosch Municipality Planning By-Law, 2023 for the rezoning of Erf 1196, Stellenbosch from Multi-Unit Residential Zone to Mixed-Use Zone to convert the existing dwelling house into a business premises.
- Application is made i.t.o. Section 15.2(f) of the Stellenbosch Municipality Planning By-Law, 2023 for the removal of restrictive title condition no. B.(b) which states, "*only one dwelling house shall be erected on the above land, which building shall be a dwelling house and not semi-detached*", to permit the conversion of the dwelling house into a business premises.

Notice is hereby given in terms of the provisions of Section 46 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\\_portal/planning-notices/land-use-applications-advertisements](https://www.stellenbosch.gov.za/planning_portal/planning-notices/land-use-applications-advertisements)]. If the website or documents cannot be accessed, an electronic copy of the application can 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 with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address;
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
  - Indicate the facts and circumstances that explain the comments;
  - Where relevant demonstrate the undesirable effect that the application will have if approved;
  - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
  - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: TV3 Projects (Pty) Ltd – C. Heys [clifford@tv3.co.za](mailto:clifford@tv3.co.za)

The comments must be submitted within 60 days from the date of this notice to be received on or before the closing date of **26 January 2026**.

It should be noted that 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 021 861 3800 during normal office hours.

Yours faithfully

A handwritten signature in black ink, appearing to read 'CRH', followed by a horizontal line and a period.

**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**

**27 November 2025**

---

## KENNISGEWING VAN GROND ONTWIKKELINGSAANSOEK AAN GEINTERESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR

Meneer / Dame

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2023, verwys:

Adres van aansoek eiendom: Helderbergstraat 6, Stellenbosch, 7600

Aansoek eiendom beskrywing: Erf 1196, Stellenbosch

Aansoeker: TV3 Projects (Pty) Ltd – C Heys (kontak besonderhede: 021 861 3800)

Eienaar: Subcocode (Pty) Ltd – J Kotzé (kontak besonderhede: 072 902 8337)

Aansoek Verwysing: TP1342/2025

Tipe aansoek:

- Aansoek word hiermee gemaak i.t.v. Afdeling 15.(2)(a) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2023 vir die hersonering van Erf 1196, Stellenbosch van Multi-Eenheid Residensiële Sone na Gemengde Gebruik Sone ten einde die bestaande woning as 'n sake perseel te benut.
- Aansoek word hiermee gemaak i.t.v. Afdeling 15.(2)(f) van die Stellenbosch Munisipaliteit se Beplanning Bywet, 2023 vir die opheffing van beperkende titelvoorwaarde no. B.(b) wat meld, "*only one dwelling house shall be erected on the above land, which building shall be a dwelling house and not semi-detached*", ten einde die bestaande woning as 'n sake perseel te benut.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 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\\_portal/planning-notices/land-use-applications-advertisements](https://www.stellenbosch.gov.za/planning_portal/planning-notices/land-use-applications-advertisements)]. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsigte van die volgende aspekte:
  - Die feite en omstandighede aantoon wat die kommentaar toelig;
  - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
  - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;

- o Dat die insette voldoende inligting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die aansoeker gestuur word as volg: TV3 Projects (Pty) Ltd – C. Heys [clifford@tv3.co.za](mailto:clifford@tv3.co.za)

Die kommentaar moet binne 60 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitingsdatum van **26 Januarie 2026**.

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

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 861 3800 gedurende normale kantoor ure.

Die uwe



**CLIFFORD HEYS**  
**TV3 PROJECTS (PTY) LTD**

**27 November 2025**

---



## **6 HELDERBERG STREET BUSINESS PREMISES**

**Land Use Planning Applications on  
Erf 1196, Stellenbosch (4074-P)**

21 August 2025



ARCHITECTS  
TOWN PLANNERS  
URBAN DESIGNERS

---

FIRST FLOOR LA GRATITUDE OFFICE BUILDING | 97 DORP STREET  
STELLENBOSCH 7600 | TEL +27 (21) 861 3800 | [www.tv3.co.za](http://www.tv3.co.za)

## **CONTENT PAGE: PLANNING MOTIVATION REPORT**

- 1. LAND USE PLANNING APPLICATIONS**
  - 2. PURPOSE OF THE LAND USE PLANNING APPLICATION**
  - 3. SUBJECT PROPERTY DETAILS**
  - 4. TITLE DEED SEARCH**
  - 5. PLANNING CONTEXT**
    - 5.1 Locality**
    - 5.2 Current land use and zoning**
    - 5.3 Surrounding land uses and zonings**
  - 6. COMMERCIAL DEVELOPMENT PROPOSAL**
  - 7. MOTIVATION FOR THE REZONING**
    - 7.1 Compliance with municipal spatial planning policies**
    - 7.2 Benefits of infill development projects**
    - 7.3 Positive socio-economic impact**
    - 7.4 Compatibility with the surrounding environment**
    - 7.5 Impact on safety, health, and wellbeing of the surrounding community**
    - 7.6 Positive interface with Helderberg Street**
    - 7.7 Impact on heritage and the biophysical environment**
    - 7.8 Impact on orderly planning**
  - 8. MOTIVATION FOR THE REMOVAL OF THE RESTRICTIVE TITLE CONDITION**
    - 8.1 Restrictive title condition to be removed**
    - 8.2 Motivation i.to Section 39(5) of the Land Use Planning Act, 2015 to remove the restrictive title condition**
  - 9. CONCLUSION**
  - 10. SIGNATURE OF APPLICANT**
-

## LAND USE PLANNING MOTIVATION REPORT

### 1. LAND USE PLANNING APPLICATIONS

As instructed by the landowner:

- (i) Application is made i.t.o. Section 15.2(a) of the Stellenbosch Municipality Planning By-Law, 2023 for the rezoning of Erf 1196, Stellenbosch from Multi-Unit Residential Zone to Mixed-Use Zone to convert the existing dwelling house into a business premises.
- (ii) Application is made i.t.o. Section 15.2(f) of the Stellenbosch Municipality Planning By-Law, 2023 for the removal of restrictive title condition no. B.(b) which states, *“only one dwelling house shall be erected on the above land, which building shall be a dwelling house and not semi-detached”*, to permit the conversion of the dwelling house into a business premises.

### 2. PURPOSE OF THE LAND USE PLANNING APPLICATION

The subject property is one of the last remaining erven in Helderberg Street that is used for single residential purposes. It is surrounded by shops, offices, guest houses, student hostels, and flats. The purpose of the land use planning application is to convert the existing dwelling house into a business premises (for shops / offices).

### 3. SUBJECT PROPERTY DETAILS

The subject property is described in the Deed of Transfer T49622/2010 as Erf 1196, Stellenbosch.

Subcocode (Pty) Ltd is the registered landowner, and the subject property is 839m<sup>2</sup> in extent.

A copy of the subject property's Deed of Transfer and SG Diagram is included in this submission.

#### **4. TITLE DEED SEARCH**

A title deed search was undertaken by attorneys and they have confirmed there is a title condition that will restrict the proposed commercial land use, namely title condition no. B.(b) which states, "*only one dwelling house shall be erected on the above land, which building shall be a dwelling house and not semi-detached*".

This condition will have to be removed to permit the conversion of the dwelling house into a business premises (for shops / offices). A copy of the Conveyancer Certificate is included in this submission.

#### **5. PLANNING CONTEXT**

##### **5.1 Locality**

The subject property is located at 6 Helderberg Street, in the Stellenbosch central business district. The locality is indicated on the image below and on the locality map included in this submission.



Figure 1: Locality of the subject property

## 5.2 Current land use and zoning

The subject property is zoned Multi-Unit Residential Zone – see image below.



Figure 2: Extract of the municipal zoning map

The subject property is zoned Multi-Unit Residential Zone, but because it is smaller than 1000m<sup>2</sup> its rights are limited Conventional Residential Zone rights.

The subject property also has a historic consent use right for a guest house and has been used accordingly for residential purposes.

### **5.3 Surrounding land uses and zonings**

The subject property is one of the last remaining erven in Helderberg Street that is used for single residential purposes, and is surrounded by shops, offices, guest houses, flats, and student hostels.

The subject property is located between the Stellenbosch Eye Centre (to the south) and the SFO | The Office (to the north) – see images below.



*Figure 3: Stellenbosch Eye Centre*



*Figure 4: SFO | The Office*

The subject property is bookended by these two business premises, and the proposed conversion of the dwelling house into a business premises will therefore not be foreign to the area.

## **6. COMMERCIAL DEVELOPMENT PROPOSAL**

The proposed commercial development will entail the conversion of the existing dwelling house into six commercial pods that will be leased separately to six different tenants for a shop or an office. Below is an insert of the building's footprint illustrating the six commercial pods (and the common areas) – see image below.

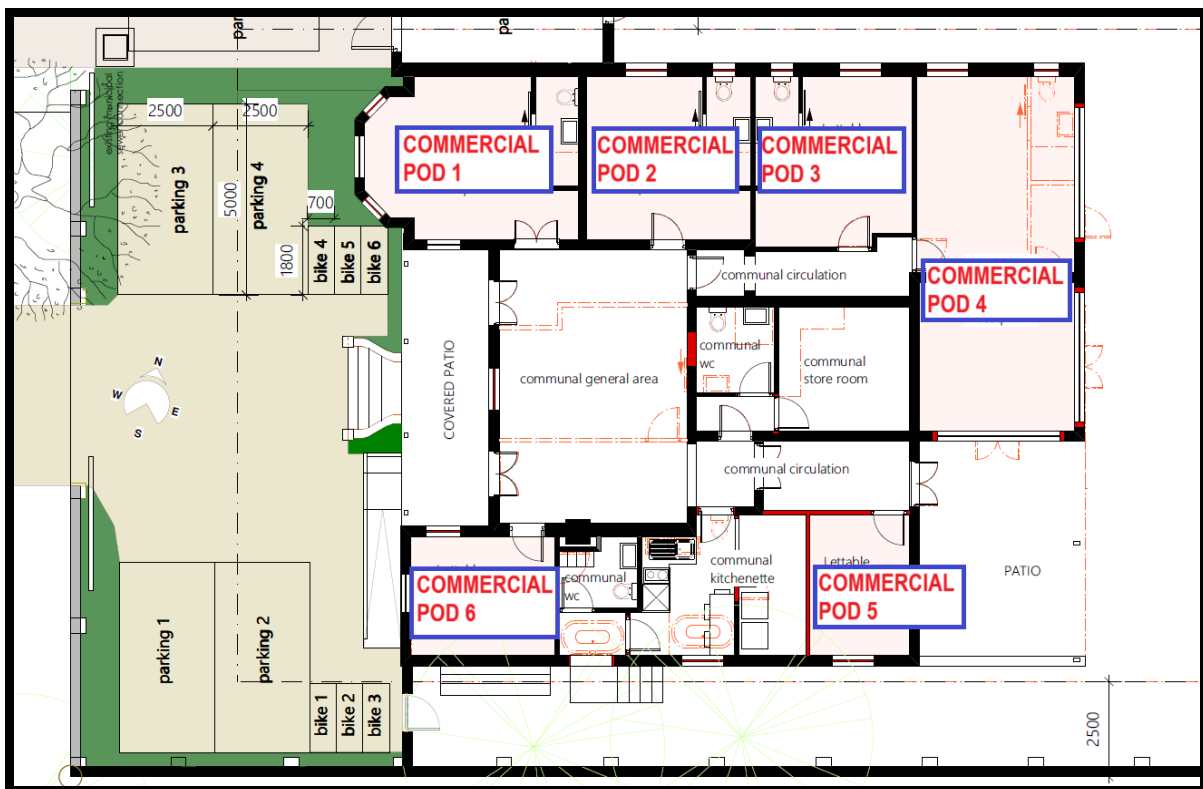


Figure 5: Floor plan illustrating the commercial pods

The six commercial pods will have a total gross lettable area (GLA) of 108.2m<sup>2</sup>. On-site parking will be provided at 4 bays per 100m<sup>2</sup> GLA with an access from Helderberg Street.

Architects have prepared a detailed Site Development Plan (SDP) illustrating the proposed building's floor plans, parking, access, etc. The SDP is included in this submission for municipal approval.

## 7. MOTIVATION FOR THE REZONING

### 7.1 Compliance with municipal spatial planning policies

The Stellenbosch Municipal Spatial Development Framework (MSDF) emphasizes the need for urban renewal projects to create a more sustainable Stellenbosch. The Stellenbosch MSDF envisions urban renewal as a key strategy for revitalising the central business district, and creating vibrant,

mixed-use precincts. The proposed urban renewal project will support this vision and principle of the MSDF.

## **7.2 Benefits of infill development projects**

There are many examples in the Stellenbosch central business district where old dwellings were successfully converted into shops or offices, to the benefit of the streetscape and the area. For example, most of the dwellings in Krige Street and in Herold Street have been beautifully converted into shops or offices to create a pleasant and vibrant environment.

The proposed development will entail a similar conversion of an old dwelling into shops or offices and will contribute to the revitalizing of the town's urban centre by bringing new life to underutilized areas.

## **7.3 Positive socio-economic impact**

The proposed development will have a positive socio-economic impact by creating new temporary employment opportunities (during the construction phase) and new permanent employment opportunities during the operational phase of the proposed business premises.

## **7.4 Compatibility with the surrounding environment**

The subject property is one of the last remaining erven in Helderberg Street that is used for single residential purposes. It is surrounded by shops, offices, guest houses, flats, and student hostels – see the land use map below listing all the land uses in Helderberg Street.

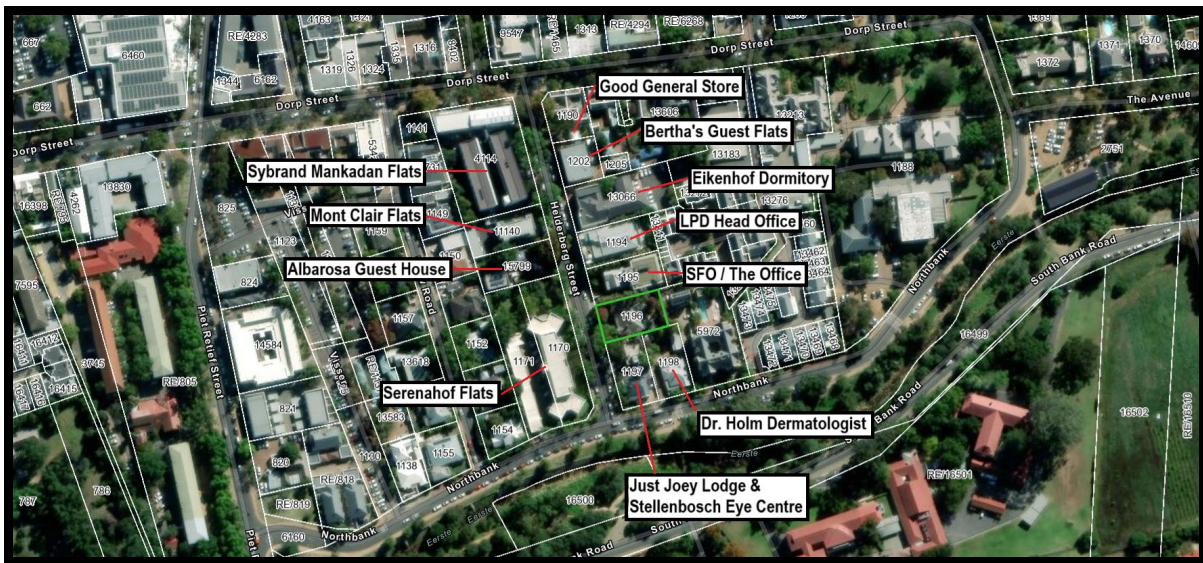


Figure 6: Helderberg Street land use map

The proposed conversion of the dwelling house into a business premises will therefore be compatible with the area and the surrounding land uses.

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

The proposed development will provide new commercial opportunities for the Stellenbosch central business district and will improve surveillance and the general safety of Helderberg Street. For this reason, the proposed development will have a positive impact on safety, health, and wellbeing of the surrounding community.

## 7.6 Positive interface with Helderberg Street

Currently, the existing dwelling is hidden (and shut-off) from Helderberg Street by a high boundary fence – see image below.



*Figure 7: Street view from Helderberg Street*

By converting the (private) residential dwelling into a more public commercial space, the subject property will open-up to Helderberg Street. Thereby creating a positive interface with the street and improving pedestrian connectivity and street-level activity with Helderberg Street.

## **7.7 Impact on heritage and the biophysical environment**

The proposed development will not trigger any of the heritage listed activities i.t.o. the National Heritage Resources Act, 1999 nor any of the environmental listed activities i.t.o. the National Environmental Management Act, 1998. In other words, authorisation is therefore not required from Heritage Western Cape or the Department of Environmental Affairs and Development Planning.

## **7.8 Impact on orderly planning**

The proposed development is considered “brown fields planning” (i.e., the redevelopment of existing urban facilities for which engineering services are already available). The limited scale of the proposed development will lead to a limited impact on bulk municipal infrastructure (roads, water, sewerage, electricity, etc.).

## **8. MOTIVATION FOR THE REMOVAL OF THE RESTRICTIVE TITLE CONDITION**

### **8.1 Restrictive title condition to be removed**

A title deed search was undertaken by attorneys and they have confirmed there is a title condition that will restrict the proposed commercial land use, namely title condition no. B.(b) states, *“only one dwelling house shall be erected on the above land, which building shall be a dwelling house and not semi-detached”*.

This condition will have to be removed to permit the conversion of the dwelling house into a business premises (for shops / offices). A copy of the Conveyancer Certificate is included in this submission.

### **8.2 Motivation i.to Section 39(5) of the Land Use Planning Act, 2015 to remove the restrictive title condition**

The restrictive title condition (as listed above) will have to be removed to permit the proposed development. This restrictive title condition deals primarily with development rules and land uses, and for the subject property to properly used in accordance with the Stellenbosch Municipality's planning policies this historic restrictive title conditions must be removed.

According to Section 39 of the Land Use Planning Act, 2015, when a municipality considers the removal, suspension or amendment of restrictive conditions, the municipality must have regard to at least the following:

- *Financial or other value of the rights affected.*

It is difficult to quantify the financial value of the rights. However, the removal of the restriction will lead to a new development. This will consequently lead to

an increase of the surrounding property values and in essence improve the financial position of the surrounding landowners. In other words, the development will have a financially positive effect on the affected parties.

- *Benefits to the holder of such rights in terms of the restrictive condition.*

The benefit of the restrictive condition is to protect the character of the area. However, the proposed development will not lead to any new buildings, only a change in the use of the building.

- *Personal benefits which will accrue to the applicant.*

The applicant will personally (financially) benefit from the removal of the restrictive condition (if Council were to approve the development proposal). However, this financial benefit will not be limited to the applicant but will include the project team (owing to the new jobs that will be created by the project) and the Stellenbosch Municipality (by way of additional development charges and higher municipal rates and taxes).

- *Social benefit of the restriction remaining in place.*

There will be no social benefits to the broader community of Stellenbosch if the restriction was to remain in place.

- *Social benefit of the proposal.*

The broader community of Stellenbosch will benefit from the proposed development in the following ways: new employment opportunities, new commercial opportunities, payment of development charges, additional municipal rates and taxes, and the urban renewal of Helderberg Street.

- *Whether the application will completely remove all rights enjoyed by the beneficiary or only some of those rights.*

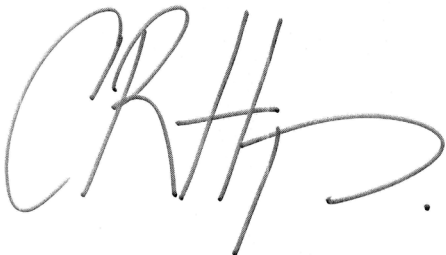
All the rights (the restrictive title condition) will be removed to permit the proposed development.

## 9. CONCLUSION

We are of the opinion that the proposed commercial redevelopment project will be similar to urban renewal projects in the Stellenbosch central business district where old dwellings were successfully converted into shops and offices. The proposed development will be compatible with the surrounding area, will have a positive impact on the community by paying development charges to the Municipality, by more effectively utilising urban land, etc. For this reason, we deem the development proposal to be desirable, and we respectfully request that the applications be granted.

Please feel free to contact the undersigned at 021 861 3800 or [clifford@tv3.co.za](mailto:clifford@tv3.co.za) if you have any queries or require any additional information to process the application.

## 10. SIGNATURE OF APPLICANT



**CLIFFORD HEYS**

**PR. PLANNER (SA): A/1158/2000**





