APPLICATION FOR PERMANENT DEPARTURES, REMOVAL OF RESTRICTIVE CONDITIONS, AND PERMISSION REQUIRED

ERF 15819, STELLENBOSCH, 211 BANGHOEK ROAD



DECEMBER 2025

JUNE 2026 – REV 1

SEPTEMBER 2026 – REV 2

SUBMITTED TO:
STELLENBOSCH MUNICIPALITY

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1. INTRODUCTION

1.1 Background Information

Erf 15819, Stellenbosch, hereafter referred to as the application site is situated within the Universiteits Oord suburb of Stellenbosch and form part of CampusKey Student Accomodation. CampusKey began in 2009 with a clear insight: students in South Africa needed a new kind of home. Traditional university residences were no longer aligned with a generation seeking safety, connection and spaces designed for how they truly live and learn. CampusKey set out to create purpose-built student living that brings community, wellbeing, sustainability, and opportunity together under one roof.

As student life evolved, so did they. Gen Z's digital lifestyles, the growing focus on mental health, parental expectations and the rising need for real connection reshaped what students look for in a home. With Gen Alpha on the horizon, the importance of human-centred design, belonging and academic support has only intensified. CampusKey stands apart because they own, develop, build and manage every location themselves - a fully integrated model spanning six sites nationwide and just under 4 000 beds. This allows them to shape each community intentionally, from architecture and interiors to events, support systems and wellbeing initiatives that help students live their best lives. Every community they create is designed for connection, academic focus and personal growth.

Their buildings are more than accommodation. CampusKey builds communities. Their students, their parents, their friends and the broader neighbourhood all become part of the ecosystem they create. Students live, work, learn and grow in spaces designed for belonging, while their friends and family join for events, co-working, social hubs and shared experiences that open their buildings to the wider community.

As global hospitality trends shift toward community-led spaces, CampusKey is moving in the same direction - placing value not only on the buildings themselves, but on the people who fill them. The energy, diversity and connection within their spaces give them life, making communities the heart of the experience. Today, as demand for quality student accommodation continues to grow, they remain focused on expanding responsibly, uplifting the areas around their buildings and creating environments where students can thrive. Their mission is simple: to give every student the foundation to study, connect, grow and become the best version of themselves - while building communities that last long beyond graduation.

In support of the above, the landowner wishes to add a new co-working study space to the existing boarding house on the application site. This area will be similar the communal area provided at Bordeaux situated in Soetewiede Road (Erf 15887), another CampusKey development. The proposed extension will result in an increase in bulk which exceeds the allowable bulk and therefore requires a bulk departure. Though the proposed extension complies with the building lines as prescribed in the zoning scheme, it extends beyond that allowed for in the Title Deed and therefore needs to apply for the removal of the relevant title deed restrictions.

The proposed new communal area will be constructed on the existing ground-floor parking area, which results in the loss of several vehicle parking bays on Erf 15819. Most of these parking bays will be accommodated in a proposed new semi-basement (to be constructed below the proposed new communal area). It is also proposed to notarially tie parking bays (a total of nine bays) from two adjacent CampusKey-owned erven, namely Erf 15820 and Erf 15821 (Stellenbosch), to the application site. This will then result in a shortfall of only 4 parking bays, for which a departure is sought. The shortfall parking will be addressed by providing non-motorised transport (NMT) parking on each of these sites, in accordance with the provisions of the By-Law.

1.2 Planning Brief

In light of the above, 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 allow for the proposed extension on Erf 15819, Stellenbosch. Please refer to **Annexure A** for the application form.

The power of attorney and resolution is attached to this report as **Annexure B**.

1.3 Applications to Stellenbosch Municipality

Arch Town Planners (Pty) Ltd hereby officially submits an application in terms of Sections 15(2) (b), (f), and (g) of the Stellenbosch Municipality Land Use By-Law, 2023 (hereafter referred to as 'the By-Law') to allow for the following on Erf 15819 Stellenbosch:

i. In terms of Section 15(2)(b) for a **permanent bulk departure** to allow for:
    a. A floor area of 85% in lieu of 75%

ii. In terms of Section 15(2)(b) for a **permanent parking departure** to allow for:
    a. An under provision of 4 parking bays

iii. In terms of Section 15(2)(b) for a **permanent open space departure** to allow for:
    a. A communal/outdoor open space provision of 0% in lieu of the required 20%

iv. In terms of Section 15 (2)(f) for the **removal** of the following **restrictive title deed conditions**:
    a. I C (5) (relating to building lines)
    b. II C (5) (relating to building lines)

v. In terms of Section 15(2)(g) for **permission** to:
    a. Substitute 4 vehicle parking bays with 4 NMT parking bays (24 bicycle bays) on Erf 15819, Stellenbosch.
    b. Substitute 4 vehicle parking bays with 4 NMT parking bays (24 bicycle bays) on Erf 15820, Stellenbosch.
    c. Substitute 4 vehicle parking bays with 5 NMT parking bays (30 bicycle bays) on Erf 15821, Stellenbosch.

vi. In terms of Section 15(2)(g) for **permission** for the approval of a notarial tie to transfer parking between separately owned erven. The application seeks to notarially tie 4 parking bays from Erf 15820, Stellenbosch and 5 parking bays from Erf 15821, Stellenbosch to Erf 15819, Stellenbosch (the application site), in fulfilment of the minimum parking requirements applicable to the Erf 15819, Stellenbosch

2. PROPERTY DESCRIPTION

2.1 Ownership Details and Title Deed

Property Details	Ownership	Erf Size	Title Deed	Restrictive Title Deed Conditions
Erf 15819, Stellenbosch	CampusKey (Pty) Ltd	2 206.3m²	T000052328/2012	I C (5) II C (5)
Erf 15820, Stellenbosch	CampusKey (Pty) Ltd	2 094.8m²	T000052329/2012	None
Erf 15821, Stellenbosch	CampusKey (Pty) Ltd	2 086.6m²	T000051918/2011	None

Table 1 *Property Details*

Please refer to **Annexure C** for a copy of the Title Deeds.

The following title deed restrictions, places restrictions on the allowable building lines which prevents the proposed development and therefore need to be removed:

- I C (5): "*All buildings shall be erected not less than 20 feet from the front or street boundary line of the lot, and not less than 10 feet from the said and back boundary of the lot."*
    - 20 feet: 6.30m
    - 10 feet: 3.15m

- II C (5): "*All buildings shall be erected not less than 6.30 meters from the front or street boundary line of the lot, and not less than 3.15 meters from the said back boundary of the lot."*

2.2 Locality

The application site is situated at 211 Banghoek Road, in the Universiteits Oord suburb of Stellenbosch. It is situated within walking distance (approximately 570m) from the main campus of the Stellenbosch University and 650m from the Neelsie Student Centre. Please refer to Figures 1 and 2 below for the locality plans.



Figure 1 - Locality Plan - Erf 15819, Stellenbosch



Figure 2 - The Application Site – Erf 15819, Stellenbosch

2.3 Physical characteristics

The application site is a total of 2 206.3m² in extent and currently has a three-storey boarding house providing accommodation to students. The property takes access from Banghoek Road through an access gate situated on the northern corner of the property and parking is provided at the front and rear of the property.The property is surrounded by other similar boarding houses and flats.

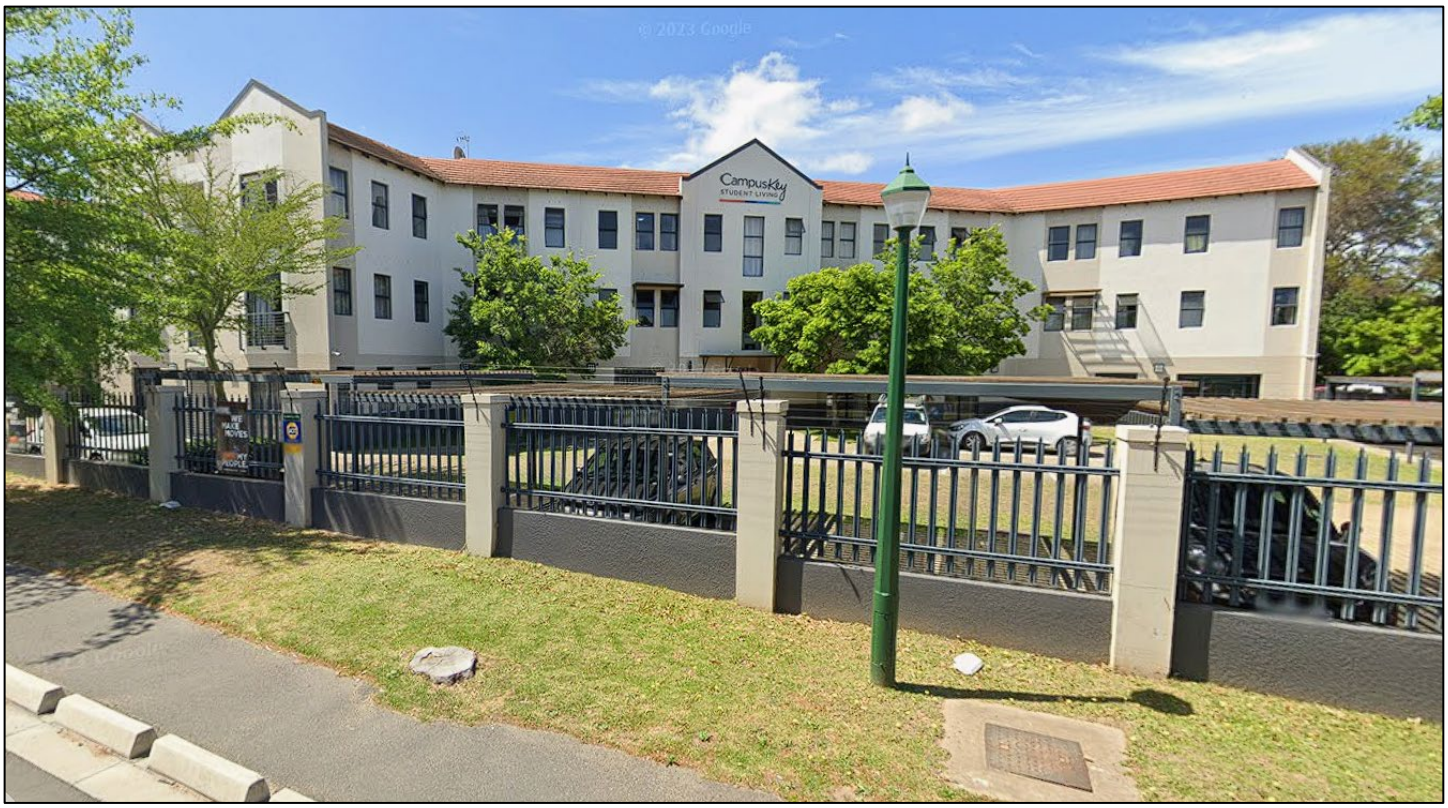


Figure 3 - View of existing CampusKey Building from Banghoek Road

There are three existing servitudes registered on this property running along the northern, western, and south-western boundary as indicated in Figure 4 and listed below:

Servitude 1: Stormwater servitude
Servitude 2: Access servitude
Servitude 3: Services servitude



Figure 4 - Servitudes Servitude Indicated in Yellow

2.4 Existing and surrounding land uses

The predominant land uses in the area are student accommodation. Other land uses in the area include the retail centre on the corner of Cluver Street and Helshoogte Road towards the north and the J S Marais Park towards the south. As mentioned above, the Stellenbosch University is only a few 100ms from the application site.

As discussed under Section 1 above, the proposed communal co-working/study area will be similar to that of Bordeaux, which is a very popular communal area for the students residing in Bordeaux. The communal area provide a safe on site area for socialisation between students living in Bordeaux and provides group study areas, where the students can study together, without having to walk or drive to the library or study centre on campus.



Figure 5 - CampusKey Bordeaux Communal Co-Working Space (Street View)



Figure 6 - CampusKey Bordeaux Communal Co-Working Space (interior)

2.5 Current Zoning

The application site is zoned Multi-Unit Residential and has to comply with the building parameters of this zone. The building development parameters for the Multi-Unit Residential zone are as set out below:

Building type permitted	Street boundary building lines (m)	Common boundarybuilding 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 2: *Multi-Unit Residential Zone Building Development Parameters*

3. DEVELOPMENT PROPOSAL

This section should be read with the SDP, Floor Plans and Elevations attached as **Annexure D**.

The proposed development entails the addition of a one-storey communal area (study / co-working space and dining area) on the ground floor of the application site, for the residents of CampusKey, with a deck facing Banghoek Road providing outside seating area for socialisation and dining. A semi-basement will be provided below the proposed communal area to replace the parking which will be lost due to the proposed new structure on ground floor. The proposed extension with outside seating area will create a more active street front which will increase passive surveillance for pedestrians walking by. It will also create a pedestrian access point for residents from Banghoek Road. Figure 7 below indicates the position of the proposed new extension on site and Figure 8 provides a visual representation of the new communal area viewed from Banghoek Road.

The proposed development is not able to achieve the full 20% communal open space requirement of the zoning scheme on Erf 15819, given the site's existing built footprint and the need to accommodate replacement parking in the semi-basement. A departure is therefore sought to allow for a reduced outdoor open space provision of 0%.

It is motivated, however, that the proposed indoor communal co-working/study space, together with the adjoining outdoor deck and seating area, functionally performs the same role that open space is intended to serve in a student living environment - namely, providing residents with a safe, accessible, non-bedroom space for socialisation, relaxation, and informal gathering outside of their private rooms. The proposed communal area is purpose-designed, sheltered, secure, and directly linked to an active outdoor deck facing Banghoek Road. It is considered a better-utilised alternative to a larger open space allocation, and is expected to be used far more intensively by residents than a standard grassed or paved open area would be. On this basis, the overall benefits and practical value of the proposed communal facility are considered to outweigh the shortfall in open space, and the departure is therefore justified.

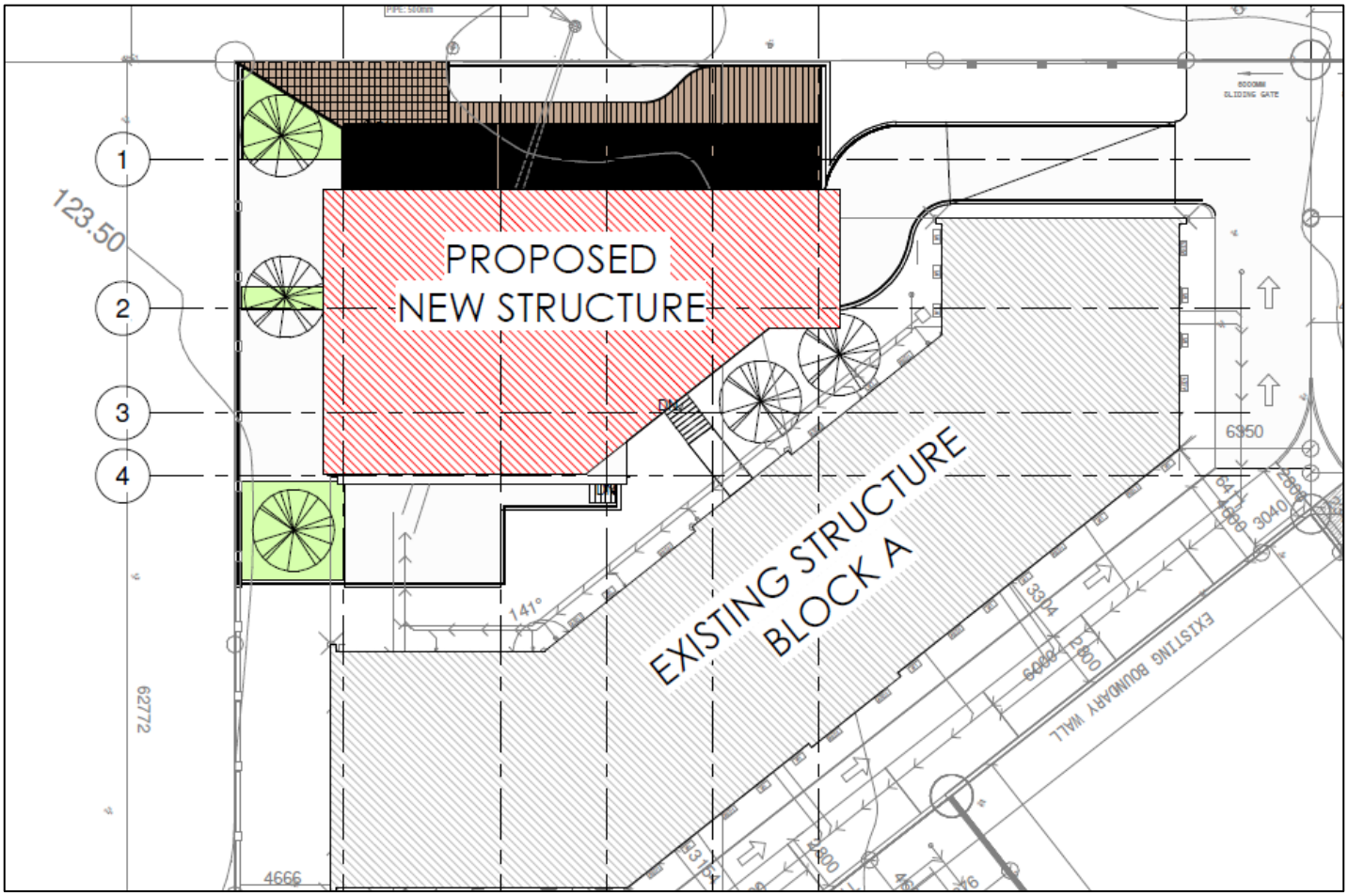


Figure 7 - Location of Proposed New Building



Figure 8 - View of Proposed Study Centre from Banghoek Road

Figure 9 below provides the floor plan of the proposed communal area which entails the study area / co-working space for residents, the outdoor seating area and a turnstile gate providing access to the main building for residents of the building.

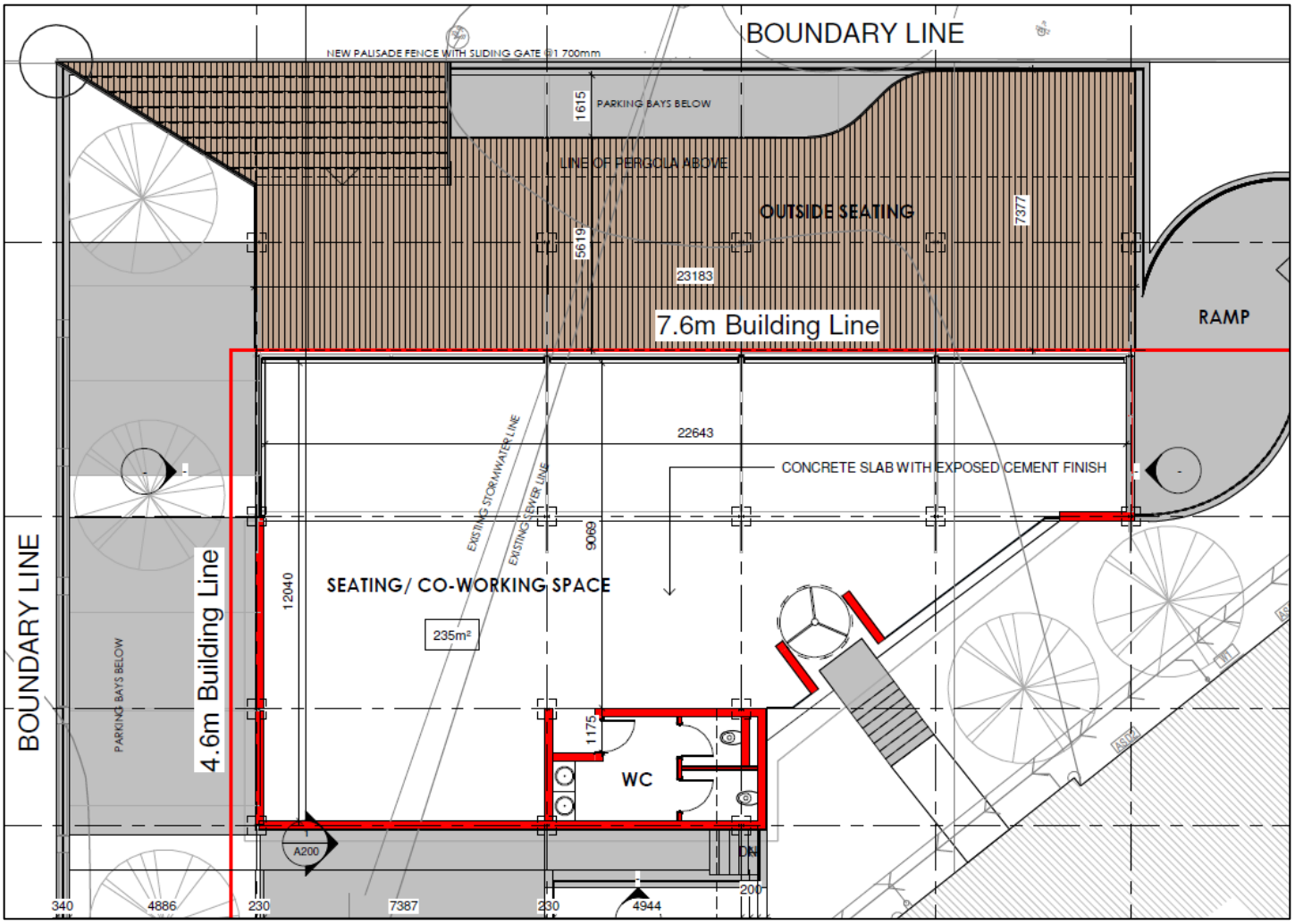


Figure 9 - Proposed Ground Floor Plan

It should be noted that the proposed building complies with all building lines (both that of the zoning scheme and the title deed). The outside seating area and deck is exempt from having to comply with the building lines of the zoning scheme; however, it extends beyond the 6.3m street building line required in the title deed and therefore requires the removal of this title deed restriction. The proposed roof structure will also extend beyond the title deed common boundary building line.

The semi-basement parking area will provide a total of 17 vehicle parking bays, and 18 bicycle bays (equating to 3 vehicle bays) partially replacing the existing parking bays on ground floor. Please refer to **Annexure D** on page 2 for the basement plan.

It is important to note that no new or additional bedrooms are proposed, this application is purely to allow for the proposed communal area as described above.

3.1 Building Development Parameters

Table 4, below, provides a summary of the applicable building development parameters of the zoning scheme vs that of the proposed development to indicate where departures are required:

Land Use Parameters	Multi-Unit Residential (MUR)	Proposed Development	Compliance/ Application Required
MUR: Street Building Line (BL)	4.5m	7.6m (deck and outside seating area are exempt from BL)	Complies
MUR: Common Boundary BL	4.6m	5.23m	Complies
Title Deed Street BL	6.3m	0m (deck and outside seating area)	**Requires removal of restriction**
Title Deed Common BL	3.15m	0m (deck and outside seating area) And to allow for a portion of the roof overhang	**Requires removal of restriction**
Communal / Outdoor Open Space	20%	0%	**Departure**
Max Coverage	50%	35%	Complies
Max Height	3 Storeys	1 storey (double volume)	Complies
Floor Area	75% (1 654.5m^2)	85% (1 878.7m^2)	**Departure**
Parking	Refer to Section 3.2 below	Refer to Section 3.2 below	Refer to Section 3.2 below

Table 3 *Compliance with Development Parameters*

3.2 Parking Strategy and Notarial Tie

Please refer to **Annexure D** for a copy of the Site Development Plan indicating the position of the new NMT bays as well as which parking bays will be notarially tied to the application site.

3.2.1 Parking Requirements and Shortfall on Erf 15819

The construction of the proposed co-working space on the existing ground-floor parking area will result in a loss of 31 vehicle parking bays. Most of the parking bays will be replaced in the proposed new semi-basement, which will provide 18 vehicle bays, thus resulting in a shortfall of 13 parking bays. To address this, the proposal involves adding NMT parking to the site, 18 situated in the basement and 6 NMT bays at the rear of the property, equating to 4 parking bays. This will then result in a shortfall of 9 vehicle parking bays to replace all the parking begin lost as a result of the new communal area.

After calculating the parking requirement for the entire site, it appears that due to the new communal area, the new circulation route on site will result in 4 more parking bays being lost.

To resolve this shortfall, it is proposed to notarial tie parking from the two adjacent CampusKey-owned erven, Erf 15820 and Erf 15821, and (b) to formally apply for a parking departure for the remaining 4-bay shortfall. Figure 10 below indicates the removal and replacement of the parking on the application site.

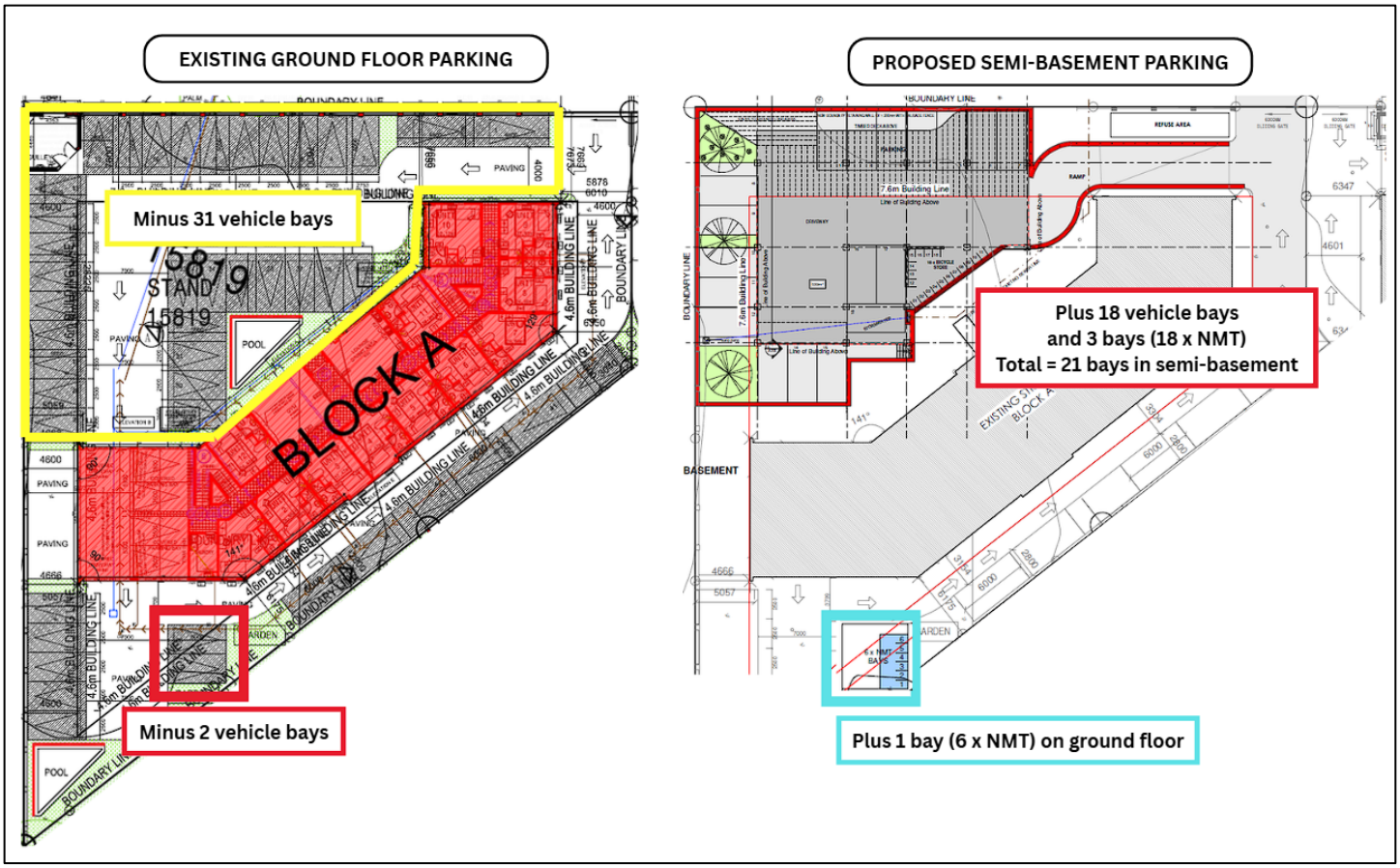


Figure 10 - Parking Removal and Addition

3.2.2 Explanation of a Notarial Tie

A notarial tie (also referred to as a notarial deed of conditions or a notarial tie agreement) is a real-right encumbrance registered against two or more separately titled erven in the Deeds Office. Once registered, the tie binds the identified erven together for a specific purpose, in this instance, the transfer of parking entitlements, and the condition runs with the land, meaning it is binding on all future owners of the affected properties.

In practical terms, the notarial tie in this application serves the following purpose: it formally records that Erf 15820 and Erf 15821 each relinquish a defined number of their parking bays in favour of Erf 15819 (the application site), such that those bays may be counted toward the parking requirement of Erf 15819. The tie is registered as a real right and appears on the title deeds of all three erven, ensuring that the arrangement cannot be undone without a formal application to the Municipality and the consent of all registered bondholders (if any).

The notarial tie is an established and accepted planning mechanism for sharing or transferring parking entitlements between adjacent erven in common ownership. Its use in this context is appropriate because:

- All three erven (Erf 15819, Erf 15820 and Erf 15821) are owned and managed by Campus Key (Pty) Ltd and form part of an integrated student accommodation precinct.
- The erven are in close physical proximity, ensuring that the transferred parking bays are practically accessible to the users of Erf 15819.
- The notarial tie ensures that the parking entitlement is permanently secured in favour of Erf 15819 and cannot be alienated without the Municipality's knowledge.

3.2.3 Parking Allocation and NMT Substitution

The table below summarises the parking provision on each erf before and after the notarial tie, and the proposed NMT substitution on Erven 15820 and 15821:

Erf	Parking Required	Parking Available (after proposed addition)	Bays Transferred via Notarial Tie	Residual Shortfall	NMT Substitution (6 bicycle bays per vehicle bay)	Departure Required
Erf 15819 (application site)	46	29	+4 bays (from Erf 15820) +5 bays (from Erf 15821)	8 bays	4 NMT bays = 24 bicycle bays (on Erf 15819)	**Yes – 4 bays**
Erf 15820	45	45	-4 bays (transferred to Erf 15819)	4 bays	4 NMT bays = 24 bicycle bays (on Erf 15820)	No – NMT substitution applied
Erf 15821	49	49	-5 bays (transferred to Erf 15819)	5 bays	5 NMT bays = 30 bicycle bays (on Erf 15821)	No – NMT substitution applied

Table 4: *Parking Requirements and Allocation Summary*

The NMT substitution ratio of 6 bicycle bays per vehicle bay is applied in accordance with the provisions of the By-Law and reflects the predominantly pedestrian and cycling character of the CampusKey student community in Universiteits Oord. Students at CampusKey are encouraged to walk and cycle to campus, and the existing bicycle infrastructure on all three erven supports this mode shift. Replacing vehicle bays with bicycle bays therefore represents a practical and policy-aligned solution that improves the overall sustainability of the precinct.

Figure 11 below indicates the notarial tie diagram. The parking bays in pink are to be notarially tied wo the application site. **Annexure D** also contains this plan along with the location of the NMT bays on each respective property.

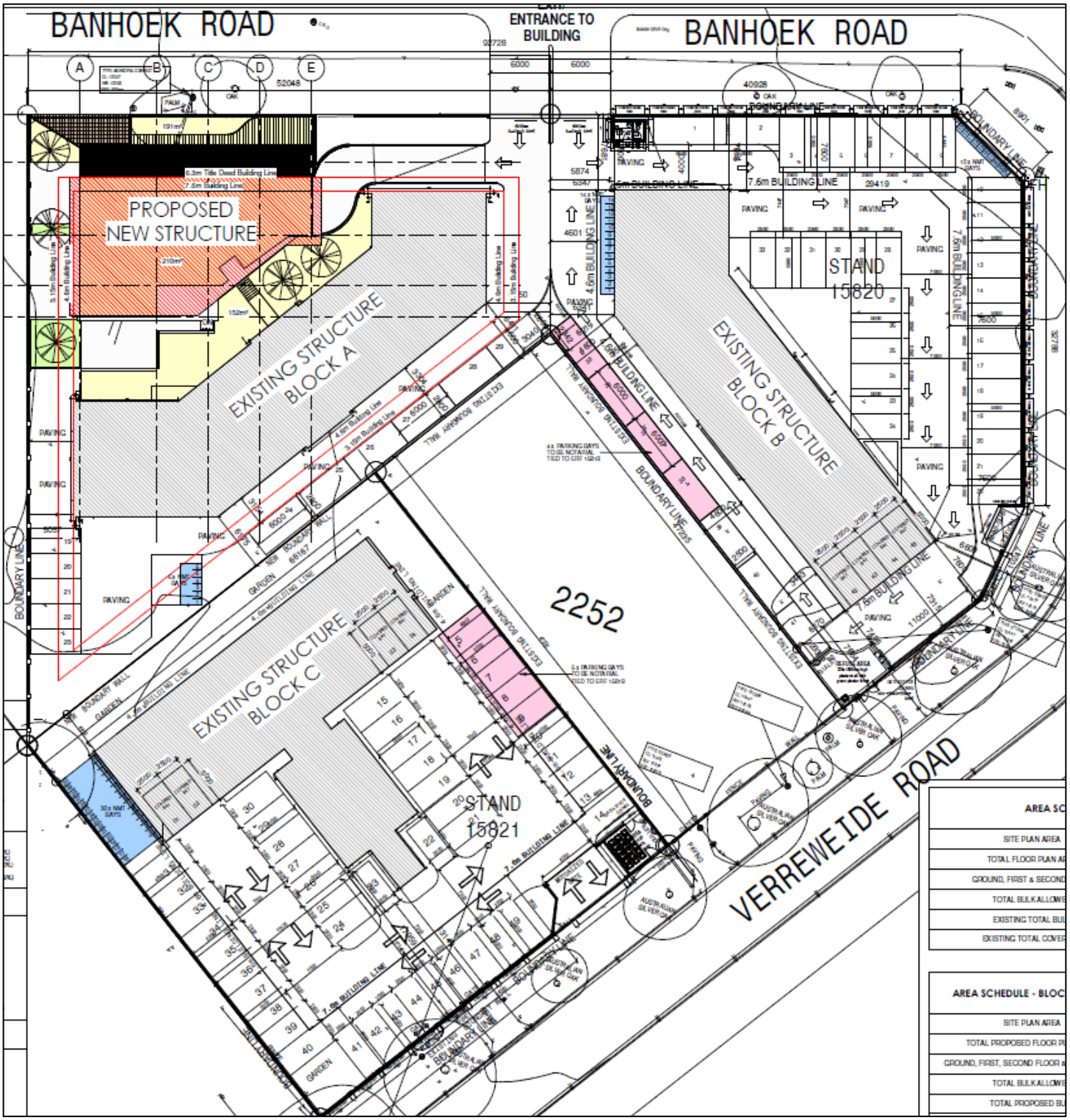


Figure 11 - Notarial Tie Diagram: Parking Allocation Across Erven

3.2.4 Historical Parking Occupancy Justification

To support the proposed parking substitution and notarial tie, a 7-year parking occupancy survey (2020–2026) was undertaken across the three CampusKey Banghoek blocks (Block A/Giallo - Erf 15819; Block B/Azzuro - Erf 15820; Block C/Rosso - Erf 15821), comprising a combined total of 131 parking bays. Occupancy across the precinct has ranged between 65% (2020) and a peak of 82% (2023), averaging 73% over the seven-year period. This confirms that a “surplus” of parking capacity has existed across the precinct at any given time, even during periods of peak demand.

Analysed by block, however, this precinct-wide average indicates two distinct patterns. Erf 15821 (Block C/Rosso) has consistently operated as the block with the greatest spare capacity, recording the lowest parking take-up of the three blocks in five of the seven years surveyed and never exceeding 73% occupancy in any year (66% average). Erf 15820 (Block B/Azzuro), by contrast, has historically operated at a tighter occupancy than the application site itself, averaging 82% over the seven-year period and peaking at 95% (38 of 40 bays occupied) in 2022. This confirms that Erf 15821 is best placed to accommodate a permanent transfer of parking bays, while any transfer from Erf 15820 must be sized carefully against its own historical demand, as set out below.

On this basis, the transfer of parking bays of 5 bays from Erf 15821 is well supported: even after transfer, Erf 15821 retains 44 of its 49 bays, comfortably in excess of the highest number of bays ever recorded as occupied on that erf (33 bays, in 2023). The transfer of 4 bays from Erf 15820 is more conservative given that erf's tighter historical occupancy, but remains supportable: after transfer, Erf 15820 retains 41 of its 45 bays, which still exceeds the highest number of bays ever recorded as occupied on that erf (38 bays, in 2022) by a margin of 3 bays. The proposed NMT substitution is therefore based on genuine surplus capacity relative to demonstrated historical peak demand on each individual erf, rather than on a precinct-wide average that would otherwise mask the comparatively tighter position on Erf 15820.

It is further noted that the three erven (Erf 15819, Erf 15820 and Erf 15821) form part of a single, integrated CampusKey precinct with no internal fencing, boom gates, or other pedestrian barriers separating them. Residents and their vehicles can therefore move freely and directly between the three sites on foot, without having to exit onto Banghoek Road or Verreweide Road to access parking on an adjoining erf. This unrestricted internal pedestrian movement further supports the practicality and appropriateness of the proposed notarial tie, as the transferred parking bays on Erf 15820 and Erf 15821 remain immediately and conveniently accessible to residents of Erf 15819.

3.3 Traffic Impact

The proposed communal area will only be open to residents of CampusKey and will not be open to the public. Therefor the proposed new building will not result in any increase in vehicle traffic.

3.4 Availability of Services

It is considered that the proposed new communal area will have a minimal impact on services capacity, if any, as it will be used by the students already staying in the building.

4. MOTIVATION

4.1 Stellenbosch Municipality Land Use By-Law (2023)

As set out in Section 33 (4) and 65(1) of the By-law, certain criteria need be met in consideration of an application by the decision-making authorities.

Table 5, below, sets out the criteria and assesses the application for the removal of these relevant title deed conditions:

Section 33(4) Criteria	Assessment of Proposal (relating to the removal of the Title Deed building line restrictions)
(a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;	The restrictive building lines no longer offer meaningful value to surrounding owners, as Universiteits Oord has shifted from low-density residential to a fully student-accommodation-based precinct. Removing the conditions will simply allow the property to develop in line with its existing Multi-Unit Residential zoning, which already permits the proposed building lines. This supports optimal use of the land and contributes positively to the area's established development pattern.
(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;	The original restrictive conditions were imposed to preserve a single-residential character that no longer exists in the neighbourhood. With most surrounding properties already developed as student housing and multi-storey buildings, neighbouring owners no longer derive any personal benefit from these outdated building line restrictions. The proposed removal of the restrictive building lines will only allow for the deck and outside seating area, the proposed building will still comply with the title deed building lines. It is thus motivated that the Banghoek Road street scape will not be impacted by the removal of these restrictions as it will only be applicable to the deck on ground floor, the building will still be setback in compliance with the title deed restrictions.
(c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is amended, suspended or removed;	Removing the restrictive building lines enables the landowner to build the new deck and outside seating area in compliance with the zoning scheme and activate the Banghoek Road interface. This supports CampusKey's student-focused model by improving academic amenities, pedestrian access, passive surveillance, and the overall functionality of the site. Without removal, a compliant and beneficial addition cannot be constructed.
(d) the social benefit of the restrictive condition remaining in place in its existing form;	There is no social benefit in keeping the restrictive conditions, as they prevent development that aligns with the current high-density student character of the area. Retaining outdated building lines would work against creating an active, safe, pedestrian-friendly street edge and would limit the provision of essential student support facilities.
(e) the social benefit of the removal, suspension or amendment of the restrictive condition;	Removing the restrictions will allow for the outside seating area which will benefit both the resident students (providing additional communal areas on site) and the public (by creating an interactive street scape which helps with passive and active observation),

	The activated street frontage improves safety and aligns with the precinct's established urban character. Overall, the removal results in clear social and community benefits.
(f) whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.	Removing the restrictive conditions will eliminate outdated building line rights that no longer serve their original purpose. All relevant zoning scheme parameters and servitudes remain fully in place, meaning the beneficiaries retain all applicable development protections except those that conflict with modern planning policy and the current character of Universiteits Oord.
Section 65(1) Criteria	**Assessment of Proposal (in terms of desirability and impact of the proposal)**
a. Desirability of land use	The application, for a bulk departure and the removal of title deed restrictions (building lines) is in essence to allow for the construction of a **communal dining area and study centre / co-working space** for residents of CampusKey. It is considered desirable for the following reasons: • The property is located within the urban edge where infill development and densification are strongly encouraged by the MSDF. • The proposal is fully compatible with the character of Universiteits Oord, an area dominated by student accommodation, shared facilities and similar multi-storey developments. • The bulk departure will allow for a sensible extension to the existing building and will help activate the street frontage along Banghoek Road, improving passive surveillance, pedestrian safety, and visual quality of the area. The majority of buildings along Banghoek Road have a considerable setback from the road and is fenced off from the road and pedestrians which does not create an interactive link between the buildings and the street scape. The proposed development will allow for a highly interactive street scape, which is considered a much better design approach than the existing "dead" interface along Banghoek Road. The existing communal area at Bordeaux has been very successful and has contributed positively to the surrounding area, both in terms of safety and creating a vibrant area in the neighbourhood. • It is considered that the bulk departure will allow for a one-storey building, which complies with the zoning scheme parameters and will have no impact on the visual character of the area or the street interface with Banghoek Road. • The building footprint remains low, with coverage (35%) and height well below maximum parameters, ensuring no over-development of the site. • The departure sought for communal open space is supported on the basis that the proposed indoor co-working/study space and adjoining outdoor deck substitute open space. In a high-density student living context, a supervised, purpose-built communal facility of this nature delivers materially greater social

and wellbeing benefit to residents than an open space area in the same property rarely used. It should also be noted that Erf RE/2149, within less than 100m from the application site provides ample open space for the students of the area, which has become a pupular area for studetns to socialize. By enforcing open space requirements on indiviudula erven, it reduces the number of students making use of availuble public space in the immideiate vacinty of the area. The better utilization of available public open space, increases saftey of the public space to the benefit of all and should be supported.



It is further motivated that as public open space is available under 100m from the application site, the use of the applicaiton site should be optimized. Especially as the development proposal does not provide more rooms, but proposes a secure communal area for students to study and socialize, smaller open space, and is considered a like-for-like (or improved) replacement for the shortfall.

- The existing building was built in a time where the social interaction of students differed vastly from that experienced today, where may students today feel isolated, lonely and experience high levels of anxiety. In the past the need for communal socializing areas, such as the proposed, was not seen as a necessity, however they have now become essential environments that counteract the isolating tendencies of modern digital life and support the emotional, social, and

academic development of students. The bulk departure and the removal of the restrictive building lines will allow for the proposed communal area which will provide a safe space for ace-to-face interaction which helps students feel seen, heard, and valued. A communal space gives them a place where they can casually connect, form friendships, and feel part of a community - an important protective factor against loneliness and mental-health struggles.

- The co-working space will generate no additional traffic, as it is limited to current residents and not open to the public.

- All required services are already available on the property, and the development requires no municipal services upgrades, supporting efficient use of existing infrastructure.

- The proposal represents sensible infill development on a highly accessible, well-located site, aligned with municipal planning policies.

- The landscaping upgrades and careful building placement will ensure a positive contribution to the streetscape, with no negative impact on neighbouring properties.

- It provides a safe on-site study space for students, thereby limiting the need to access campus facilities after hours and reducing the risks associated with walking home in the dark.

Parking Departure:

- The parking shortfall of 4 bays arises directly from the construction of the semi-basement to replace ground-floor parking and from the site constraints. The shortfall is modest, approximately 10% relative to the application site, and less than 3% if you consider the total parking provided by the three adjoining Campus Key Properties.

- A 7-year parking occupancy survey (2020–2026) across all three CampusKey Banghoek erven confirms that combined parking demand has never exceeded 82% and has averaged 73%. Erf 15821 has consistently demonstrated the greatest spare capacity of the three erven and is the principal donor erf. Erf 15820, despite historically operating at a tighter parking occupancy than the application site itself, retains sufficient bays after the proposed transfer to exceed its own highest recorded historical demand. This supports the appropriateness of transferring parking bays to the application site via the notarial tie, and confirms that the residual departure sought is modest and low-risk.

- The three erven form part of a single, CampusKey precinct with no pedestrian restrictions or barriers between them, allowing residents to move freely and

directly between Erf 15819, Erf 15820 and Erf 15821. The transferred parking bays are therefore practically and conveniently accessible to residents of the application site at all times.

- The communal area is exclusively for the use of existing residents and generates no new demand for parking. No additional vehicle trips are created by the proposed development.

- The site is situated within easy walking distance of the Stellenbosch University campus, public transport, and the town centre. The student population at CampusKey is characteristically non-car-dependent, and the majority of residents walk or cycle to campus.

- The departure is supported by the notarial tie arrangement (described in Section 3.2) which ensures that the maximum practicable number of parking bays from adjacent erven is first applied to the application site before a departure is sought.

Notarial Tie:

- The notarial tie between Erven 15819, 15820 and 15821 is an appropriate and legally sound mechanism to ensure that the parking of the adjacent erven formally supplement the parking on the application site. All three erven form an integrated precinct. The tie will be registered in the Deeds Office and will run with the land, ensuring that the parking arrangement is permanent and enforceable against future owners.

- The transfer of 4 bays from Erf 15820 and 5 bays from Erf 15821 to Erf 15819 creates corresponding shortfalls on Erven 15820 and 15821. These shortfalls are addressed by substituting the transferred vehicle bays with NMT bays at a ratio of 6 bicycle bays per vehicle bay, which is consistent with the By-Law and reflects the cycling-friendly character of the student precinct. The provision of 24 bicycle bays on Erf 15820 and 30 bicycle bays on Erf 15821 constitutes a meaningful improvement in NMT infrastructure across the precinct.

- The overall parking and NMT strategy across the three erven are coherent, logical and proportionate. It maximises the use of available parking capacity before resorting to a large departure, demonstrates a genuine commitment to NMT mode shift, and is consistent with the Municipality's broader objectives for sustainable transport in Stellenbosch.

In closure:

It is strongly motivated that the benefit of having the communal area far outweighs the need to enforce the applicable bulk restriction, as it is clear that the need for the communal area is imperative to create a healthy living

	environment for students and as it will have no negative impact in terms of visual impact, overdevelopment, loss of privacy, engineering services or traffic. The parking, notarial tie and NMT substitution strategy is practical, transparent and aligned with planning policy, and the 4-bay parking departure is well motivated given the non-car-dependent nature of the student community and the absence of any new traffic demand.

Table 5 *Assessment of Application in terms of Section 33(4) and 65(1) 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 study centre is located within the urban edge, in an area designated for high-density student accommodation. Providing on-site academic spaces supports equitable access for students who rely on walking and cycling to campus. The NMT substitution strategy further reinforces equitable access by prioritising cycling infrastructure over car-dependent provision.
Spatial Sustainability	The development supports sustainable settlement patterns by placing learning facilities within walking distance of the university, reducing vehicular dependence and supporting a compact urban form. The notarial tie consolidates parking provision across an integrated precinct, avoiding wasteful duplication of infrastructure.
Efficiency	The proposal makes efficient use of existing infrastructure and requires no upgrades to services. The addition serves the existing residential population on site, ensuring efficient use of well-located land. The parking strategy (notarial tie, NMT substitution and modest departure) achieves an efficient outcome with minimal impact on adjacent erven.
Good Administration	The application aligns with municipal policy (SDF, IDP, and zoning scheme) and supports the broader planning vision for Universiteits Oord. The design enhances the public interface with Banghoek Road and contributes positively to the precinct. The notarial tie is a transparent, legally registered mechanism that ensures long-term compliance with the parking arrangement.
Spatial Resilience	The site is already fully urbanised, and the proposed development does not encroach upon natural or agricultural areas. It strengthens the resilience of the student precinct by supporting academic success, walkability, and well-located infill development. The NMT substitution supports a more resilient, non-car-dependent transport pattern.

Table 6 *Assessment of Application in terms of Section 59 of LUPA*

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 proposed infill development on this strategically located site complies with PSDF.

4.3.2 The Stellenbosch Municipality Integrated Development Plan, 2022

The current Stellenbosch Integrated Development Plan (hereafter referred to as "the IDP"), approved in May 2022, provides the detailed development plans for the Stellenbosch Municipal Area, over the short term (2022 – 2027) 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 Spatial Development Framework (2023).

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 low-density nature of the existing building (being well below the allowable coverage) in which the site is located, in combination with its ideal location near the town centre and university, the area is well-aligned with the IDP strategy of densifying brownfield sites.

4.3.3 The Stellenbosch Municipality Spatial Development Framework, 2023

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"*. Furthermore, and as part of the SDF's Implementation Framework, the Municipality must assist in the *"broadening of residential opportunity for lower income groups,* ***students****, and the lower to middle housing market segments.*

5. CONCLUSION

The approval of this application is argued to be favourable, considering the nature of this application, the applicable policies and frameworks of the Stellenbosch Municipality and the legislation in terms of land use regulation. It is therefore respectfully requested that the following applications be considered for approval:

Application in terms of Sections 15(2)(b), (f) and (g) the By-Law to allow for the following on Erf 15819, 15820 and 15821 Stellenbosch:

i. In terms of Section 15(2)(b) for a **permanent bulk departure** to allow for:
   a. A floor area of 85% in lieu of 75%

ii. In terms of Section 15(2)(b) for a **permanent parking departure** to allow for:
   a. An under provision of 4 parking bays

iii. In terms of Section 15(2)(b) for a **permanent open space departure** to allow for:
   a. A communal/outdoor open space provision of 0% in lieu of the required 20%

iv. In terms of Section 15 (2)(f) for the **removal** of the following **restrictive title deed conditions**:
   c. I C (5) (relating to building lines)
   d. II C (5) (relating to building lines)

v. In terms of Section 15(2)(g) for **permission** to:
   a. Substitute 4 vehicle parking bays with 4 NMT parking bays (24 bicycle bays) on Erf 15819, Stellenbosch.
   b. Substitute 4 vehicle parking bays with 4 NMT parking bays (24 bicycle bays) on Erf 15820, Stellenbosch.
   c. Substitute 4 vehicle parking bays with 5 NMT parking bays (30 bicycle bays) on Erf 15821, Stellenbosch.

vi. In terms of Section 15(2)(g) for **permission** specifically for the approval of a notarial tie to transfer parking entitlements between separately owned erven. The application seeks to notarially tie 4 parking bays from Erf 15820, Stellenbosch and 5 parking bays from Erf 15821, Stellenbosch to Erf 15819, Stellenbosch (the application site), in fulfilment of the minimum parking requirements applicable to the Erf 15819, Stellenbosch

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for Arch Town Planners (Pty) Ltd