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25 June 2026

NOTICE OF LAND DEVELOPMENT APPLICATION

Dear Sir/Madam

APPLICATION FOR REZONING, DEPARTURES, PERMISSION AND REMOVAL OF TITLE DEED RESTRICTIONS ON ERF 290, STELLENBOSCH – 3 BERGZICHT ROAD

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

Application Property Address: **Erf 290, Stellenbosch**

Application Property Number: **3 Bergzicht Road**

Applicant: **Arch Town Planners (Pty) Ltd (Carlien Coetzee, carlien@archtownplanners.co.za)**

Owner: **Du Toit Street Properties (Pty) Ltd**

Application Reference: **TP1577/2026**

Description of land development proposal:

Application is made in terms of Section 15 of the Stellenbosch Municipal Land Use Planning By-law, 2023 for the following on Erf 290, Stellenbosch:

- **Rezoning in terms of Section 15(2)(a) of the said bylaw of the subject property from Conventional Residential Zone to Mixed Use Zone for purposes of a tourist accommodation establishment (aparthotel).**
- **Permission in terms of the Zoning Scheme in terms of Section 15(2)(g) in terms of the said bylaw to allow for the construction of a 4-storey building within the Urban and Rural Conservation Overlay Zone.**
- **Departure in terms of Section 15(2)(b) of the said bylaw to relax the:**
 - **Street building lines (on 2nd to 4th storey) from 4.5m to 3.5m to allow for balconies to encroach over the street building lines.**
 - **Common building lines on the western boundary (on 3rd to 4th storey) from 6.0m to 4.5m to allow for balconies to encroach over the common building lines.**

- **Urban Conservation Overlay Zone height restriction of 10m to 13.5m for buildings located within 15m from the public road.**
- **To allow for 57% in lieu of 50% coverage**
- **Removal of Restrictive Title Deed Conditions in terms of Section 15(2)(f) of the said Bylaw, to remove the following conditions:**
 - **Clause E1(a) ... "that this erf be used for residential purposes only."**
 - **Clause E1(b) ... "that only one dwelling together with such outbuildings as are ordinarily required to be used herewith, be erected on this erf."**
 - **Clause E1(c) ... "that no more than one-third the area of this erf be built upon."**
 - **Clause E1(d) ... "that no building or structure or any portion thereof except boundary walls and fences be erected nearer than 20 feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within 10 feet of the lateral boundary common to any adjoining erf, and within 15 feet of the rear of this erf."**

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: carlien@archtownplanners.co.za. By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **27 July 2026**.

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 **072 262 5304** during normal office hours.

Yours faithfully

Carlien Coetzee

For Arch Town Planners (Pty) Ltd



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25 Junie 2026

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

Geagte Mnr./Me.

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

AANSOEK VIR HERSONERING, AFWYKINGS, TOESTEMMING EN OPHEFFING VAN TITELBEPERKINGS OP ERF 290, STELLENBOSCH – 3 BERGZICHT STRAAT

Adres van aansoek eiendom: **Erf 290, Stellenbosch**

Aansoek eiendom beskrywing: **3 Bergzicht Straat**

Aansoeker: **Arch Town Planners (Pty) Ltd (Carlien Coetzee, carlien@archtownplanners.co.za)**

Eienaar: **Du Toit Street Properties (Pty) Ltd**

Aansoek Verwysing: **TP1577/2026**

Besonderhede van die grondgebruiksaansoek:

Aansoek word gedoen in terme van Artikel 15 van die Stellenbosch Munisipaliteit se Beplanningsverordening (2023) vir die volgende op Erf 290, Stellenbosch:

- **Hersonering ingevolge Artikel 15(2)(a) van die genoemde verordening van die betrokke eiendom vanaf Konvensionele Residensiële Sone na Gemengde Gebruiksone vir die doeleindes van 'n toeriste-akkommodasie-onderneming (woonstelhotel).**
- **Toestemming ingevolge die Soneringskema ingevolge Artikel 15(2)(g) ingevolge die genoemde verordening om die oprigting van 'n 4-verdiepinggebou binne die Stedelike- en Landelike-Bewaringsoorlegsgone toe te laat.**
- **Afwyking ingevolge Artikel 15(2)(b) van die genoemde verordening om die volgende te verslap:**
 - **Straatboulyne (op die 2de tot 4de verdieping) van 4.5m tot 3.5m om balkonne toe te laat om die straatboulyne oor te steek.**
 - **Gemeenskaplike boulyne op die westelike grens (op die 3de tot 4de verdieping) van 6.0m tot 4.5m om balkonne toe te laat om die gemeenskaplike boulyne oor te steek.**

- **Stedelike Bewaringsoorlegsgone se hoogtebeperking van 10m tot 13.5m vir geboue wat binne 15m van die openbare pad geleë is.**
- **Om 57% in plaas van 50% dekking toe te laat**
- **Verwydering van Beperkende Titelloosvoordes ingevolge Artikel 15(2)(f) van die genoemde Verordening, om die volgende voorwaardes te verwyder:**
 - **Klousule E1(a) ... "dat hierdie erf slegs vir residensiële doeleindes gebruik word."**
 - **Klousule E1(b) ... "dat slegs een woning tesame met sodanige buitegeboue as wat gewoonlik hiermee saam gebruik moet word, op hierdie erf opgerig word."**
 - **Klousule E1(c) ... "dat nie meer as een derde van die oppervlakte van hierdie erf bebou word nie."**
 - **Klousule E1(d) ... "dat geen gebou of struktuur of enige gedeelte daarvan, behalwe grensmure en heinings, nader as 20 voet aan die straatlyn wat 'n grens van hierdie erf vorm, opgerig word nie. Geen sodanige gebou of struktuur mag binne 10 voet van die laterale grens wat gemeenskaplik is aan enige aangrensende erf, en binne 15 voet van die agterkant van hierdie erf geleë wees nie."**

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 tydskedule 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 terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: [Marike Bolz, \[carlien@archtownplanners.co.za\]\(mailto:carlien@archtownplanners.co.za\)](mailto:Marike.Bolz@archtownplanners.co.za). Deur 'n beswaar, kommentaar of verhoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

Die kommentaar moet 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 **27 Julie 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 **072 262 5304** gedurende normale kantoor ure.

Die uwe

Carlien Coetzee

Vir Arch Town Planners (Pty) Ltd

APPLICATION FOR REZONING, DEPARTURES, PERMISSION AND REMOVAL OF TITLE DEED RESTRICTIONS

**ERF 290, STELLENBOSCH
3 BERGZICHT ROAD**



**MARCH 2026
JUNE 2026 – REV 1**

**SUBMITTED TO:
STELLENBOSCH MUNICIPALITY**

PREPARED AND SUBMITTED BY:



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1. INTRODUCTION

1.1 Background Information

Erf 290 Stellenbosch, hereafter referred to as the application site, lies within the Du Toit street precinct in Stellenbosch, the area situated between Alexander and Du Toit street, directly west of Van der Stel Sport grounds. The van der Stel Sport grounds is owned by the Stellenbosch Municipality who has recently awarded a tender to an private entity to re-development, operate and run the sport facilities. It is anticipated that this will result in considerable upgrade of the underutilized sport facilities and will create a more vibrant and sought after sporting area.



Figure 1 - Du Toit Street Precinct

In response to this, the owner of Erf 290 bought the property with the intention to develop an apartment hotel (hereafter referred to as Aparthotel) which provides one-bedroom hotel rooms available for short term stay for people visiting the sport events/ taking part in sporting activities and tourists visiting Stellenbosch. The focus is on creating a product with amenities designed to drive consistently high occupancies and deliver higher-than-normal average daily rates (ADR), compared to what would be achieved without such facilities.

The aparthotel units will be sold to investors who will simultaneously be entering into an agreement with a management company to operate the unit. The terms of that operation will stipulate that an owner will only be allowed to occupy the unit themselves for a maximum of 14 days per year. The operating company will manage the hotel as an entity and ensure the upkeep and day-to-day operation and management of the apartment hotel.

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 Aparthotel. 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) (a), (b), (f), (g) the Stellenbosch Municipality Land Use By-Law, 2023 (hereafter referred to as 'the By-Law') to allow for the following on Erf 290, Stellenbosch:

- i. **Rezoning** in terms of Section 15(2)(a) of the said bylaw of the subject property from Conventional Residential Zone to Mixed Use Zone for purposes of a tourist accommodation establishment (aparthotel).
- ii. **Permission in terms of the Zoning Scheme** in terms of Section 15(2)(g) in terms of the said bylaw to allow for the construction of a 4-storey building within the Urban and Rural Conservation Overlay Zone.
- iii. **Departure** in terms of Section 15(2)(b) of the said bylaw to relax the:
 - a. Street building lines (on 2nd to 4th storey) from 4.5m to 3.5m to allow for balconies to encroach over the street building lines.
 - b. Common building lines on the western boundary (on 3rd to 4th storey) from 6.0m to 4.5m to allow for balconies to encroach over the common building lines.
 - c. Urban Conservation Overlay Zone height restriction of 10m to 13.3m for buildings located within 15m from the public road.
 - d. To allow for 57% in lieu of 50% coverage
- iv. **Removal of Restrictive Title Deed Conditions** in terms of Section 15(2)(f) of the said Bylaw, to remove the following conditions:
 - a. Clause E1(a) ... "that this erf be used for residential purposes only."
 - b. Clause E1(b) ... "that only one dwelling together with such outbuildings as are ordinarily required to be used herewith, be erected on this erf."
 - c. Clause E1(c) ... "that no more than one-third the area of this erf be built upon."
 - d. Clause E1(d) ... "that no building or structure or any portion thereof except boundary walls and fences be erected nearer than 20 feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within 10 feet of the lateral boundary common to any adjoining erf, and within 15 feet of the rear of this erf."

2. PROPERTY DESCRIPTION

2.1 Ownership Details and Title Deed

Property Details	Ownership	Erf Size	Title Deed	Restrictive Title Deed Conditions
Erf 290, Stellenbosch	Du Toit Street Properties (Pty) Ltd	1 000.5 m ²	T000021966/2020	E1 (a) – residential purposes only E1 (b) – one dwelling E1 (c) – third coverage E1 (d) – building lines

Table 1 Property Details

Please refer to **Annexure C** for a copy of the Title Deed and **Annexure D** for a copy of the Conveyancer Certificate which confirms the restrictive title deed conditions.

The restrictive title deed conditions are as follows:

E1 (a) *“That this erf be used for residential purposes only.”*

E1 (b) *“That only one dwelling together with such outbuildings as are ordinarily required to be used herewith, be erected on this erf.”*

E1 (c) *“That no more than one-third the area of this erf be built upon.”*

E1 (d) *“That no building or structure or any portion thereof except boundary walls and fences be erected nearer than 20 feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within 10 feet of the lateral boundary common to any adjoining erf, and within 15 feet of the rear boundary of this erf.”*

These conditions need to be removed to allow for the proposed development.

2.2 Locality

The application site is situated at 3 Bergzicht Road, situated on the corner of Bergzicht Road and Du Toit Street, in Stellenbosch Central. It is situated approximately 50m from the entrance to the Van Der Stel Sport grounds in Bergzicht Road. The application site is centrally positioned within town, opposite the police station and within walking distance to Van der Stel, town centre and the University, offering convenient access to a variety of local attractions and amenities.

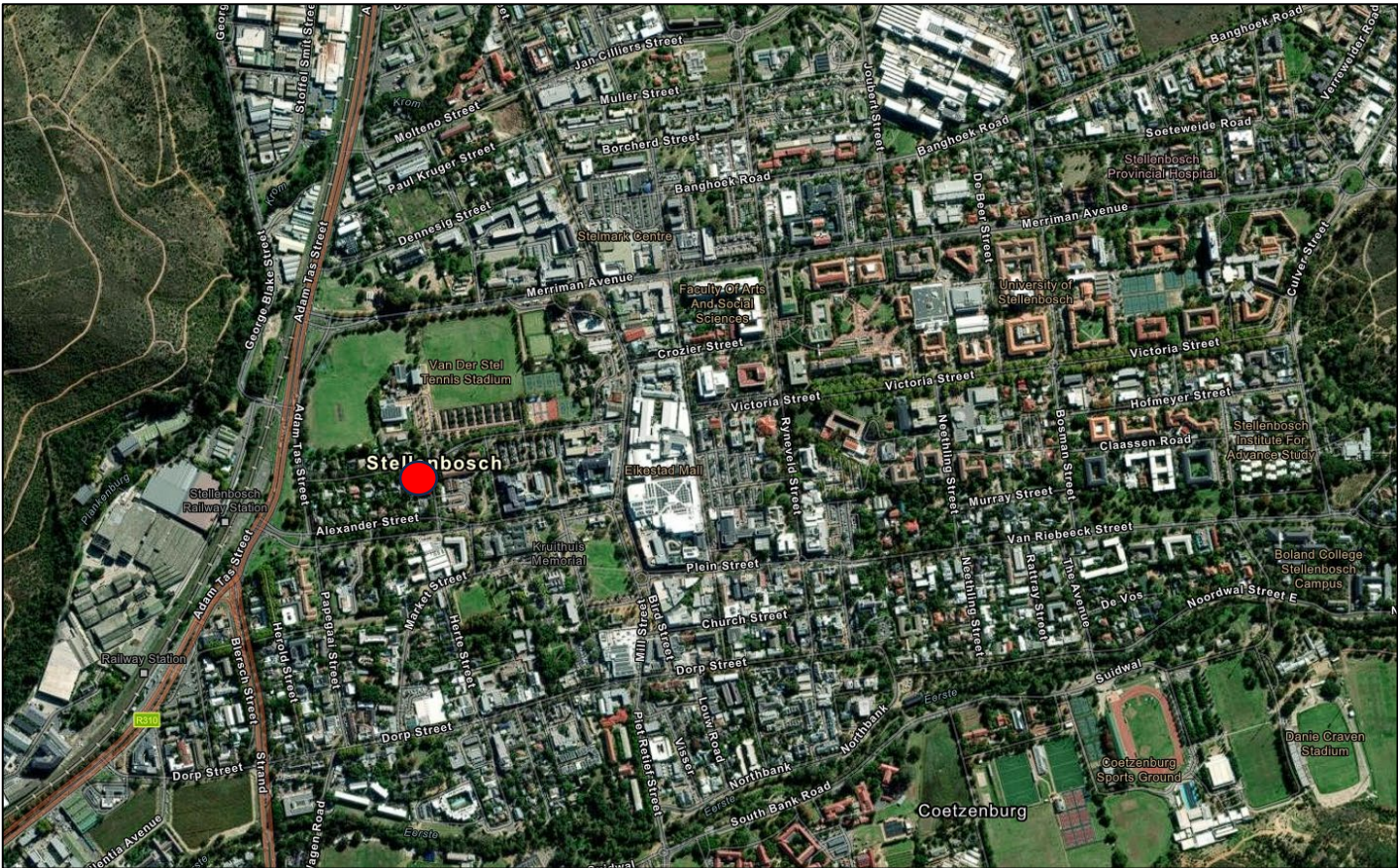


Figure 2 - Locality Plan within Stellenbosch - Erf 290, Stellenbosch



Figure 3 - The Application Site – Erf 290, Stellenbosch



Figure 4 - Aerial View of the Application Site – Erf 290, Stellenbosch

2.3 Existing land use and zoning

The application site is a total of 1 000.5m² in extent and has an existing one-storey house which takes access from Bergzicht Road.

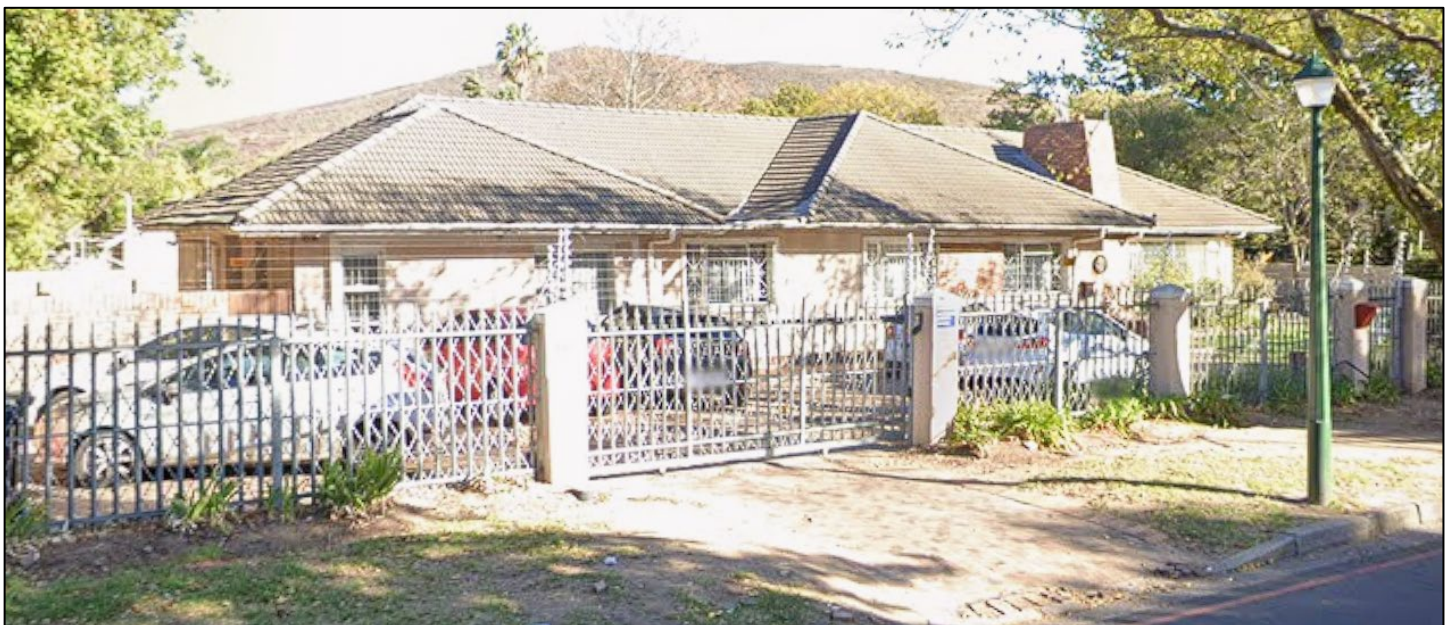


Figure 5 - Existing House from Bergzicht Road



Figure 6 - Existing House from c/o Bergzicht Road and Du Toit Street

The application site is zoned Conventional Residential Zone in terms of the Stellenbosch Municipality Zoning Scheme By-Law (2023). Please refer to Figure 7 below for the zoning of the application site and surrounding properties. There are no servitudes registered on this property.

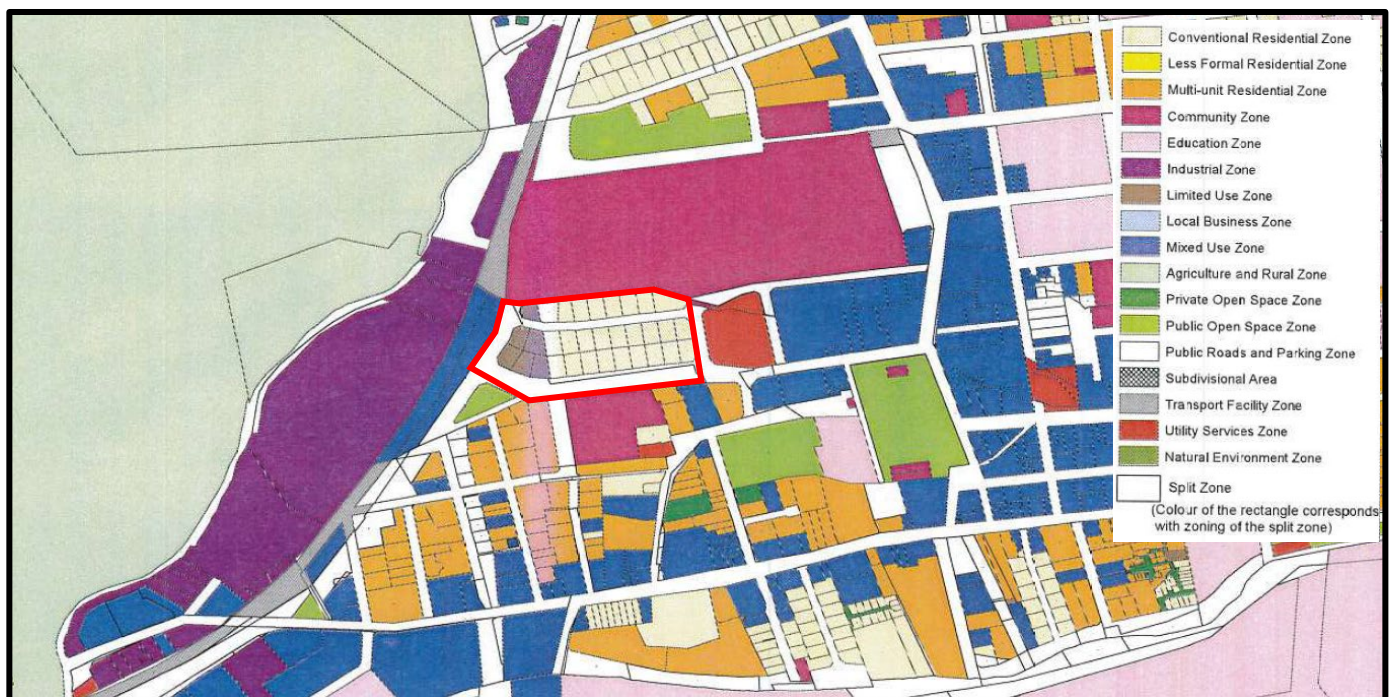


Figure 7 - Extract of the Zoning Map

2.4 Surrounding Land Use and Zoning

The site forms part of a small street block of erven zoned Conventional Residential, all with one/two storey houses. Though these houses still resemble single residential houses in character, it should be noted that many of the houses are being used for student accommodation and most of the properties, if not all have, in the last two -three years, been sold to private developers, clearly showing the intent to redevelop the area.

This block of Conventional Residential erven are surrounded by erven with a wide range of zoning categories, including Local Business, Mixed-Use, Community Zone, Public Open Space which allows for shops, restaurants, coffee shops, the Van Der Stel Sport complex, church, flats, the police station, the court, the Stellenbosch University, Stellenbosch train station, all within 800m from the application site, which makes it an ideal site for the proposed Aparthotel.

Apart from the recently developed Alxndr Building (discussed below), there has been very little development/re-development in the area over the last 40+ years but it is clear that, with the planned redevelopment and upgrading of Van der Stel and recent development applications this will change.

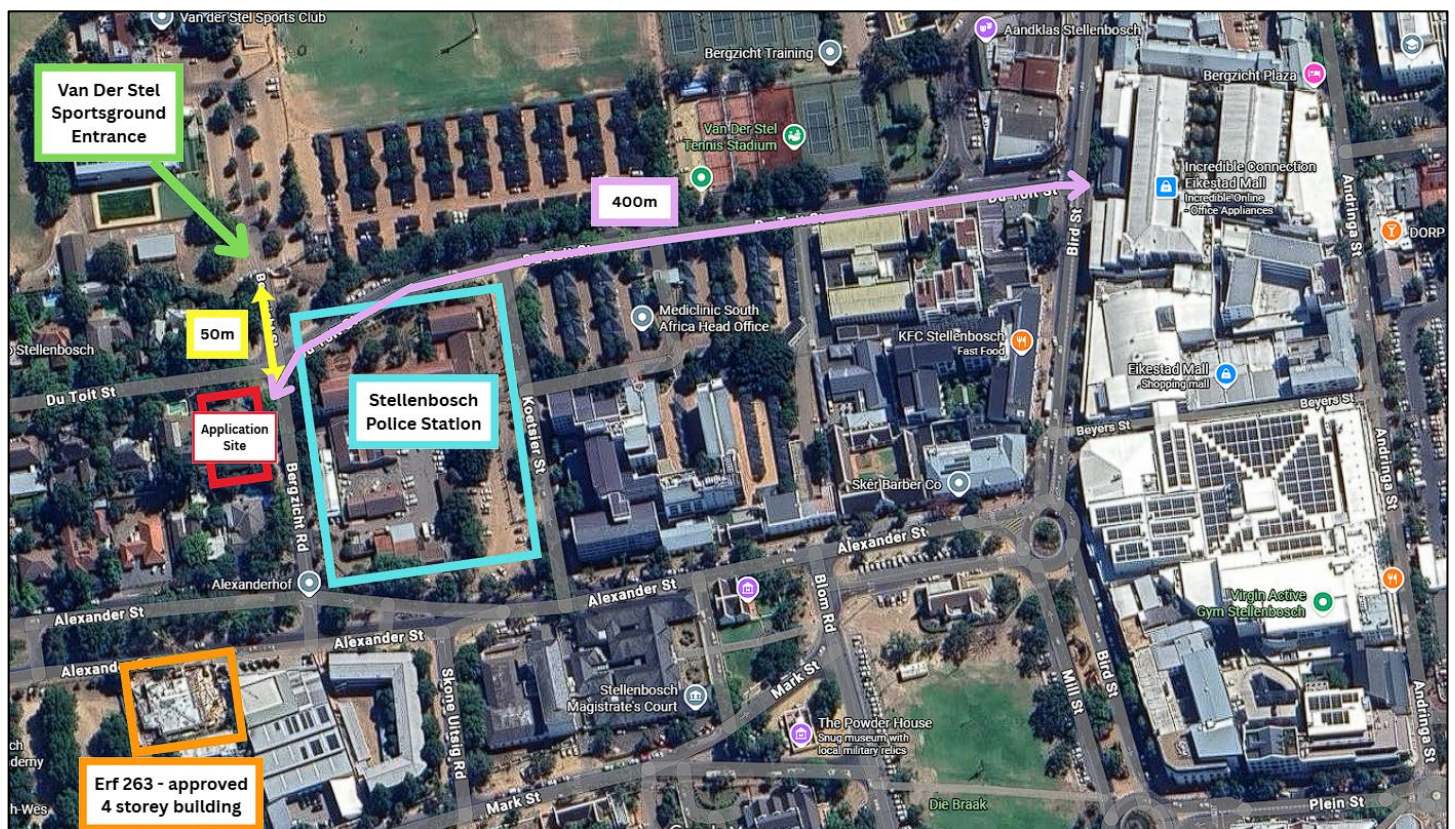


Figure 8 - Surrounding Context



Figure 9 - Context within Stellenbosch Town

Of interest are two recent applications submitted for the redevelopment of properties within the immediate surrounding area: The first being a very large development proposal for student accommodation, which was refused by Council and the second application, to allow for the Alxnder flats on Erf 263 Stellenbosch, which was approved. The Alxnder development is a four storey block off flats which was recently developed, situated directly on Alexander Street, approximately 150m from the application site.



Figure 10 - Street Photo of Newly Constructed The Alxnder Building on Erf 263, Stellenbosch

The Alxnder was developed in line with the following **land use approval** from Council:

- i. The relaxation of the street building line from 7.6m to 0m to make provision for a refuse room.
- ii. The relaxation of the street building line from 7.6m to 4.1m for the main building.
- iii. The relaxation of the lateral building line adjacent to erf 264 from 4.6m to 0m.
- iv. The relaxation of the lateral building line adjacent to erf 448 from 4.6m to 0m.
- v. The relaxation of the rear building line from 4.6m to 3.3m.
- vi. A departure to exceed the permitted coverage from 25% to 53.7% (floor level 1), 25% to 53.3% (floor level 2), 25% to 52.5% (floor level 3) and 25% to 44.5% (floor level 4).
- vii. A departure to exceed the permitted floor factor from 0.4 to 1.95.
- viii. A departure to exceed the number of storeys from two storeys to four storeys.
- ix. The Site Development Plan.

In the letter of approval Council indicated the following **reasons for the approval**:

- i. The property is located in a mixed-use area where higher density development is promoted and encouraged by Council due to its proximity to the Central Business District and the University;
- ii. The proposed development is not regarded to be out of scale or character with its surroundings;
- iii. The proposal is compatible with the surrounding land uses and built environment;
- iv. The specific residential offering will ensure that the units are occupied permanently and not only for eight months of the years as in the case of student accommodation;
- v. The proposal promotes Council policy as noted in the SDF and IDP of densification within the urban edge;
- vi. The proposal is consistent with the principles of the Stellenbosch Conservation Strategy;
- vii. The proposal complies with the land use planning principles (spatial justice, spatial sustainability, efficiency, spatial resilience and good administration) referred to in section 59 of the Land Use Planning Act, 3 of 2014;
- viii. The residential development is in walking distance of the CBD and university which will reduce the number of vehicular trips generated by the building.

In summary, the Alxnder development, falling within the same urban conservation zone as the application site, received approval for a four storey building, with various setback departures (similar to the proposed development). The approval and the reason for approval, as listed above, clearly shows Council's support for densification in this area and also demonstrates the precedent for increased height within the conservation area, similar to the proposed development.

2.5 STELLENBOSCH URBAN CONSERVATION AREA (URCO1)

The application site forms part of the Du Toit and Bergzicht precinct and falls within the Stellenbosch Urban Conservation Area (URCO1) with the purpose to protect and enhance the architectural and landscape character of Stellenbosch's historic urban fabric. Buildings within the URCO1, may not exceed a height of 10 meters measured from the existing ground level to top of roof which is applicable only to the first 15 meters measured from a public road. On the balance of the land unit, the height of a building may not exceed 5 storeys or the maximum number of storeys permitted in the base zone, whichever is the lowest.

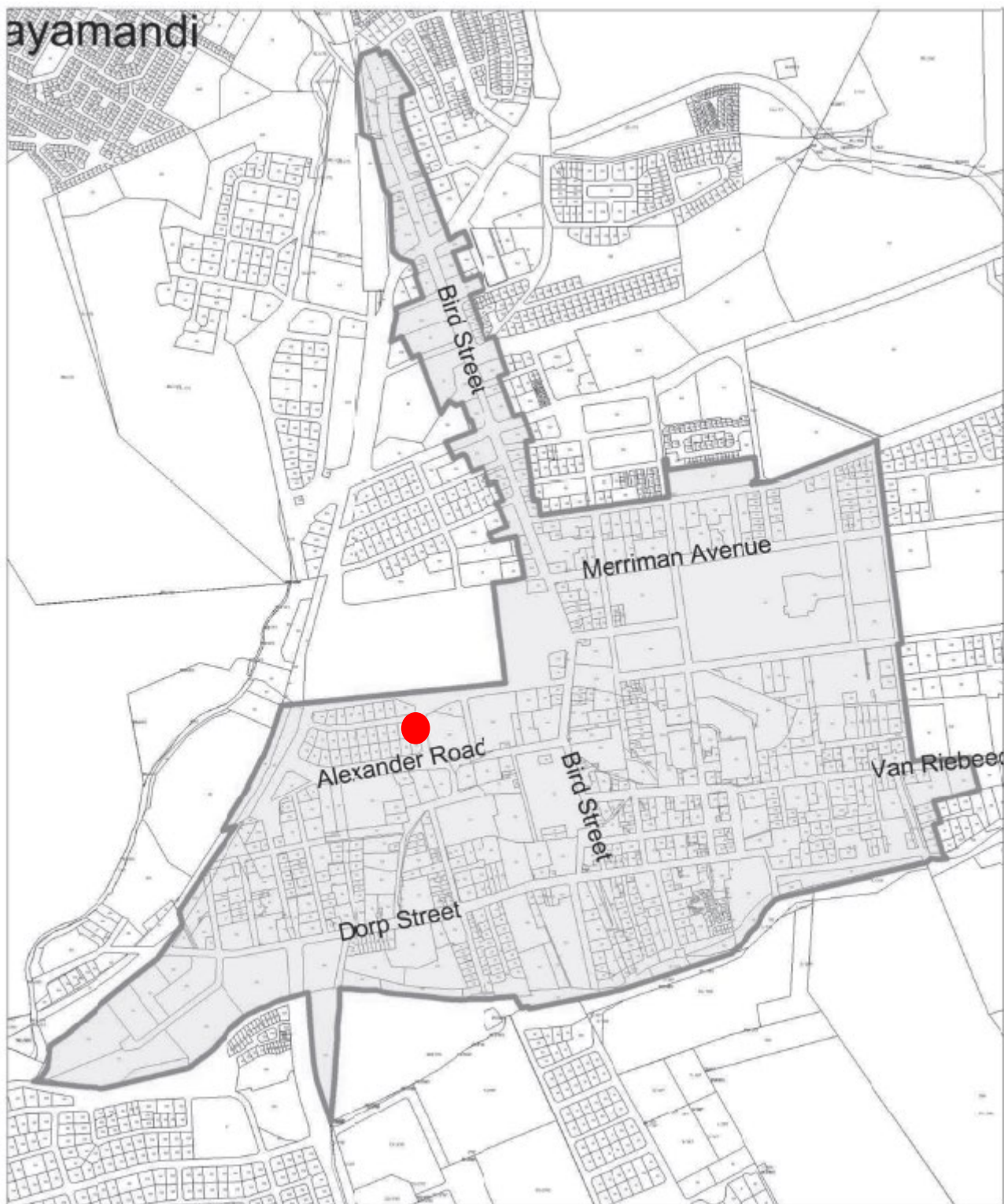


Figure 11 - Locality of Application Site within URC01

3. APPLICABLE POLICIES AND LEGISLATION

3.1 ADAM TAS CORRIDOR LOCAL SPATIAL DEVELOPMENT FRAMEWORK (ATLSDF)

The Adam Tas Corridor is a concept aiming to develop 300ha of underutilised and disused land along Adam Tas Road. The corridor is divided into three districts: southern, central, and northern. Although the Du Toit Street Precinct was initially included within the central district, the more recent Adam Tas Corridor Development Guidelines no longer includes the application site.

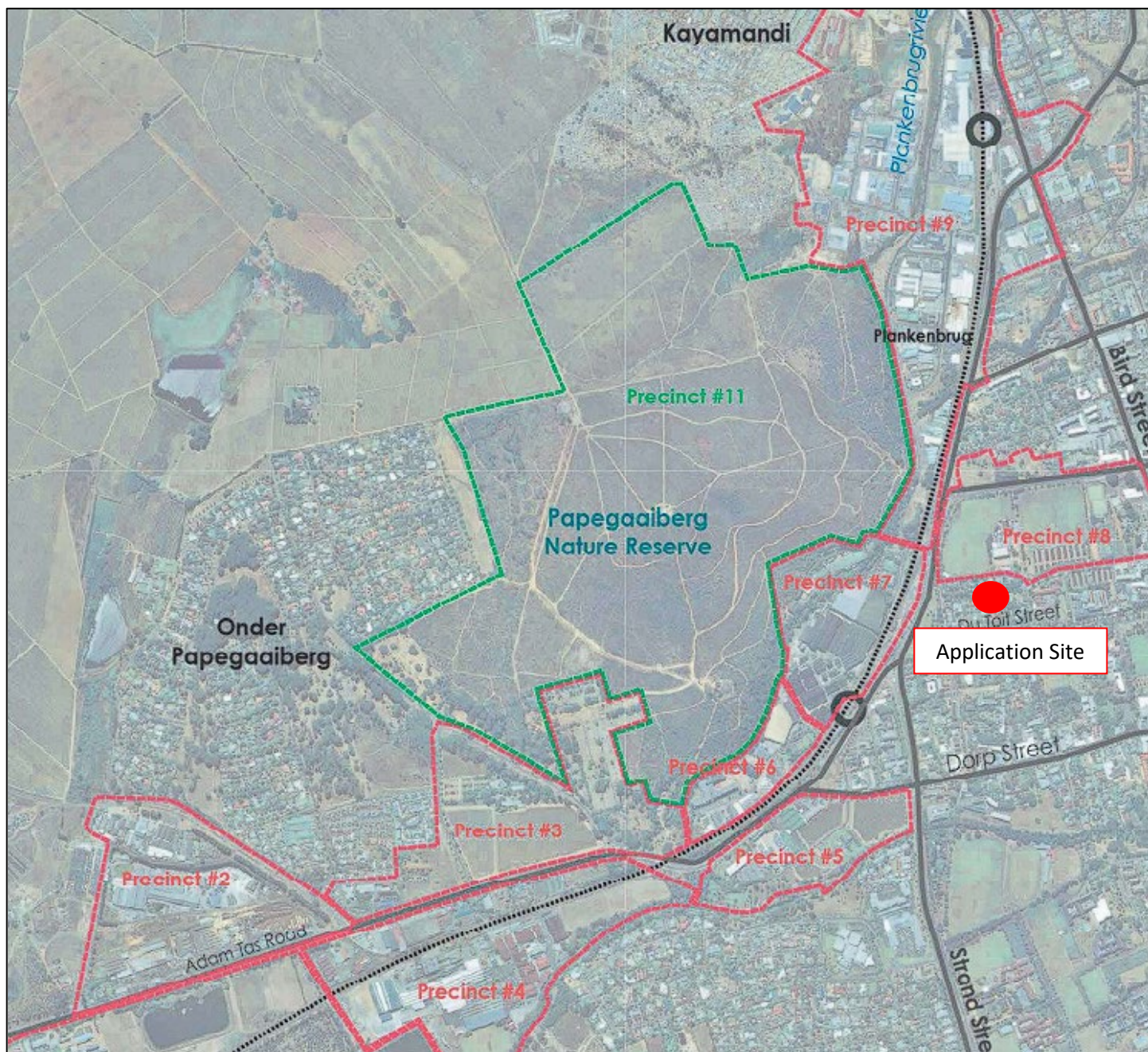


Figure 12 - Location of Application Site in Proximity to the ATC

The ATLSDF corridor aims to:

- Promote densification
- Support non-motorised transport (NMT),
- Create a major development spine for Stellenbosch.

A key proposal of this LSDF is the extension of University Avenue (as a pedestrian route), linking Jan Marais Nature Reserve to Papegaaiberg via Victoria Street, Du Toit Street or via a new route between the Van der Stel sports grounds and erven along Du Toit.

The main vehicular access route is intended to remain Alexander Road, while Du Toit Street forms part of a future NMT corridor.

Even though Du Toit Street falls outside the formal ATC precincts, it directly borders Precinct 7 (Bergkelder) and Precinct 8 (Van der Stel Sports Grounds) and is therefore strategically influenced by their development guidelines as discussed below:

4.1.1 Precinct 7: Intended Character and Function

A mixed-use, medium- to high-density precinct including residential, commercial, and retail activities, with adaptive re-use of historic structures. It serves as a centre of the Adam Tas Corridor, linking the corridor to existing development on the eastern side, with the following proposed development guidelines:

Built Environment & Development Guidelines:

Development Form & Character:

- Mixed-use with multi-storey apartments and courtyard/perimeter block forms.
- Building heights: 4-6 storeys.
- Density: 120-150+ du/ha (highest along the railway line and Adam Tas Road).
- Internal landscaped courtyards, possibly with semi-basement parking.

Interface Qualities:

- Active street edges with balconies.
- Maximum 2 m ground floor setback.
- Strong visual and functional interface with public spaces.
- Retail and restaurants activating ground floors.

Precinct-Specific Guidelines:

- Provide safe pedestrian bridge/underpass crossings of the rail reserve.
- Public facilities should front onto active public spaces.
- Potential for a structured parking building.
- The south-western area earmarked for an urban-format school.

4.1.2 Precinct 8: Intended Character and Function

This Precinct, known as the van der Stel Sportsgrounds, will be a mixed-use, medium- to high-density precinct incorporating rationalised sports uses, commercial/retail activity, and adaptive re-use of historic structures. It includes a new public transport interchange (possibly along Merriman) and forms the gateway to the historic core of Stellenbosch. It is important to note the following guidelines:

Built Environment & Development Guidelines:

Development Form & Character:

- Mixed-use with sports facilities and multi-storey apartments.
- Building heights: 4–6 storeys.
- Density: 120–150+ du/ha (highest along Adam Tas Road and the University Avenue extension).
- Courtyard/perimeter block forms with internal landscaping.

Interface Qualities:

- Active edges, balconies, and surveillance.
- Maximum 2 m ground floor setback (upper floors may overhang).
- Strong active frontage for ground-floor commercial uses.
- Buildings facing the sports field must include overlooking features.

Precinct-Specific Guidelines:

- Provide a pedestrian bridge over Adam Tas Road and the rail reserve.
- Cluster public facilities and ensure they front onto public squares.
- Possible requirement for a structured parking building.
- Surround sports fields with mixed-use development to ensure 24-hour surveillance.

It is therefore important that any proposed development in this area should align with the above principles by:

- focusing growth in proximity to existing urban infrastructure,
- supporting non-sprawl intensification within the existing town fabric, and
- introducing a mix of tourism, residential and service uses that can function well with public mobility systems and future walking / cycling connectivity in Stellenbosch.

3.2 Stellenbosch Spatial Development Framework (2023)

The application site falls within the Settlement Centre of Stellenbosch, as indicated in the updated, SSDF, which specifically identifies this area as an area for residential densification and infill, with the change action to:

- “pro-actively support higher density infill residential opportunity in the town center, areas immediately surrounding it, and along major routes (with consideration of historic areas and structures).”

- Retain and actively support mixed use redevelopment and building within the town centre and surrounding areas, comprising living space above active street fronts.
- Pro-actively improve conditions for walking and NMT within Stellenbosch town.

It is also important to point out that the SDF clearly identifies areas where future present plans are required, such as the the van der Stel Sportsgrounds, **but that the application site does not fall within such area, and a precinct plan is therefore not required.**

The SSDF also outlines key guidelines for the development of tourist facilities, including guest houses and similar accommodations. One of the key policy imperatives of the SDF is the protection and expansion of tourism assets. The SDF also mentions that the role of Stellenbosch town as a regional service and tourism center must be reinforced. It outlines the following design and impact considerations to ensure that tourist facilities integrate well with their surroundings:

- Architectural Compatibility: Facilities should align with local architectural styles and scales, maintaining the visual harmony of the neighborhood.
- Scale and Intensity of Use: The scale must be appropriate for the property and surrounding area to prevent excessive strain on local infrastructure.
- Traffic and Parking: Adequate parking must be provided to avoid street congestion, and traffic impact assessments may be required.
- Noise and Privacy: Measures should be implemented to minimize noise and ensure privacy for neighbors, including soundproofing and strategic design.
- Environmental Impact: Development should minimize environmental impacts by preserving green spaces and managing waste.
- Compliance with Local Regulations: Designs must adhere to local building codes, health and safety regulations, and municipal guidelines.

4. DEVELOPMENT PROPOSAL

This section should be read with the Proposed Development Plans attached as **Annexure E**, which shows the proposed floor plans.

The proposed development entails a purpose-built Aparthotel to offer short term accommodation for transient guests. As each hotel room will have a small kitchen, the hotel will per definition be classified as a tourist accommodation establishment (as a hotel does not allow for self-catering units).

The development will require the demolition of the existing single storey house to construct a 4-storey aparthotel building with basement level parking. The proposed development will include a gym, for hotel guests only, on basement level, a communal dining area/ restaurant, open to the public, on the ground floor and a roof top terrace and swimming pool on the third floor (fourth-storey). The development will include a total of 30 bedrooms, to be situated on the first, second and third floors, each with its own small kitchen/kitchenette.



Figure 13 - Representation of Proposed Development from Street View



Figure 14 - Representation of Proposed Development – Aerial View

The section below will discuss each floor level of the proposed development in more detail:

4.1 Proposed Basement Level

The basement level will have 19 vehicle parking bays, storerooms, the mechanical room and a gym which will only be used by the hotel guests. A stair case and elevator will provide access to the floors above.

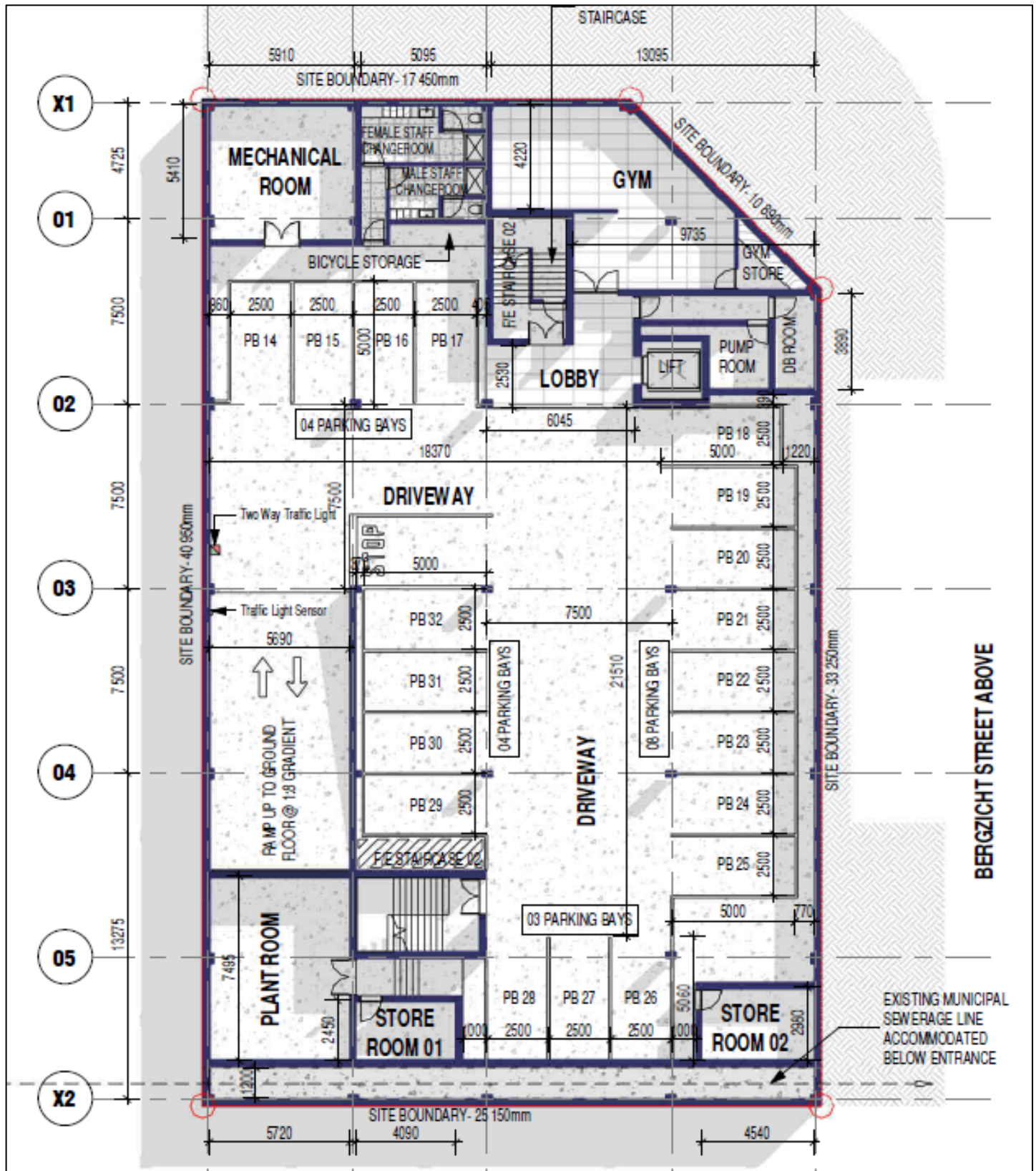


Figure 15 - Extract of Proposed Basement Level

4.2 Proposed Ground Floor

The ground floor will have a vehicular access from Bergzicht street to provide access to the basement level as well as 13 vehicle parking bays proposed on the ground floor.

The proposed dining area/restaurant, with a GLA of approximately 50m² (open to the public) will be situated on the ground floor with an outside terrace facing Du Toit Street and the van der Stel Sportsground. The restaurant will be accessed from Bergzicht street, via the hotel lobby. This will help to provide an interactive street scape and contribute to creating an active street front. The apart hotel will use the same entrance from Bergzicht street through the lobby to provide access to the bedrooms on the floors above. The refuse room will also be situated on the ground floor.

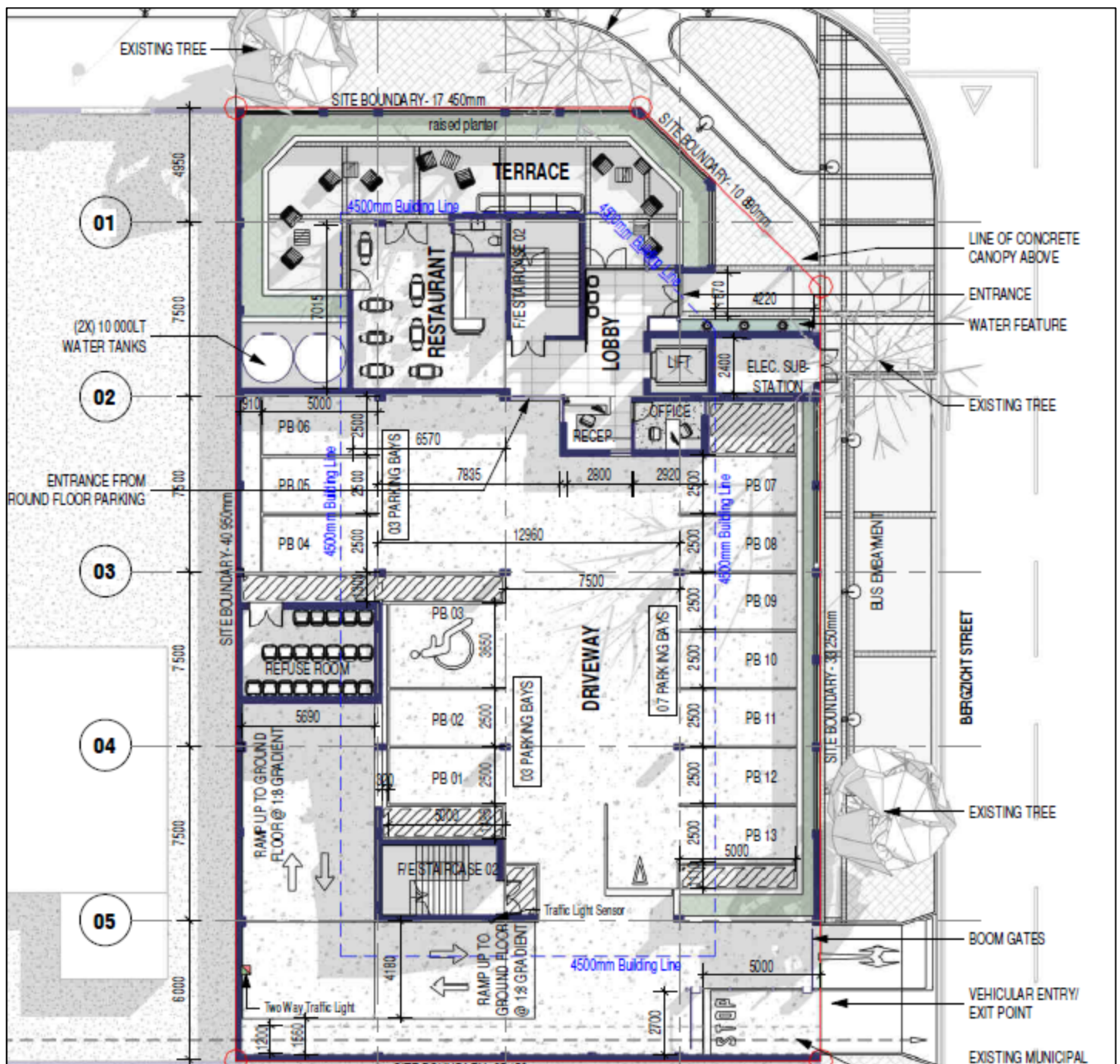


Figure 16 - Extract of Proposed Ground Floor

4.3 Proposed First Floor

The first floor will provide a lounge area for hotel guests and will have a total of 11 x one-bedroom apartments. Each bedroom will have a small kitchen with a coffee station, which will allow guests the option to prepare their own basic meals if they do not wish to make use of the dining facilities. The proposed bedrooms facing Du Toit and Bergzicht streets will all have small balconies which will allow for active and passive surveillance to help improve security and safety to the pedestrians moving past the proposed development. A few of the bedrooms facing westward will also have balconies.

The proposed building will be set back 4.5m from all boundaries with the balconies along the street boundaries projecting 1m over the street building lines.

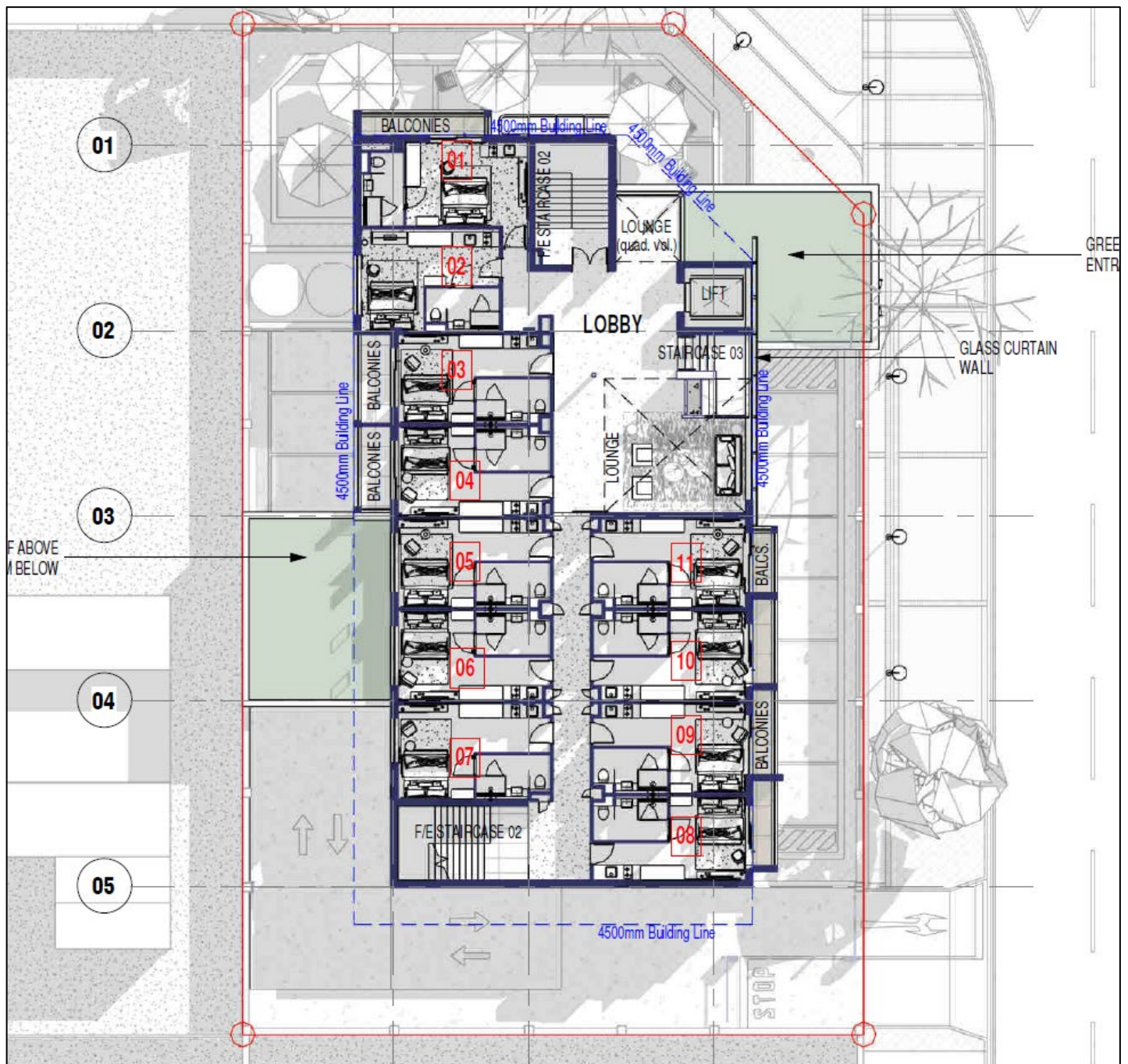


Figure 17 - Extract of Proposed First Floor

4.4 Proposed Second Floor

The proposed second floor is a duplication of the first floor, with a small lounge area for guests and 11 x one bedroom apartments. Similar to the first floor, each apartment will have a small kitchenette to enable guests to make coffee/tea and a small bar fridge. The proposed balconies on the street boundaries will project 1m beyond the 4.5m building lines, with the balconies on the western common boundary, projecting 1.5m beyond the 6m building line.

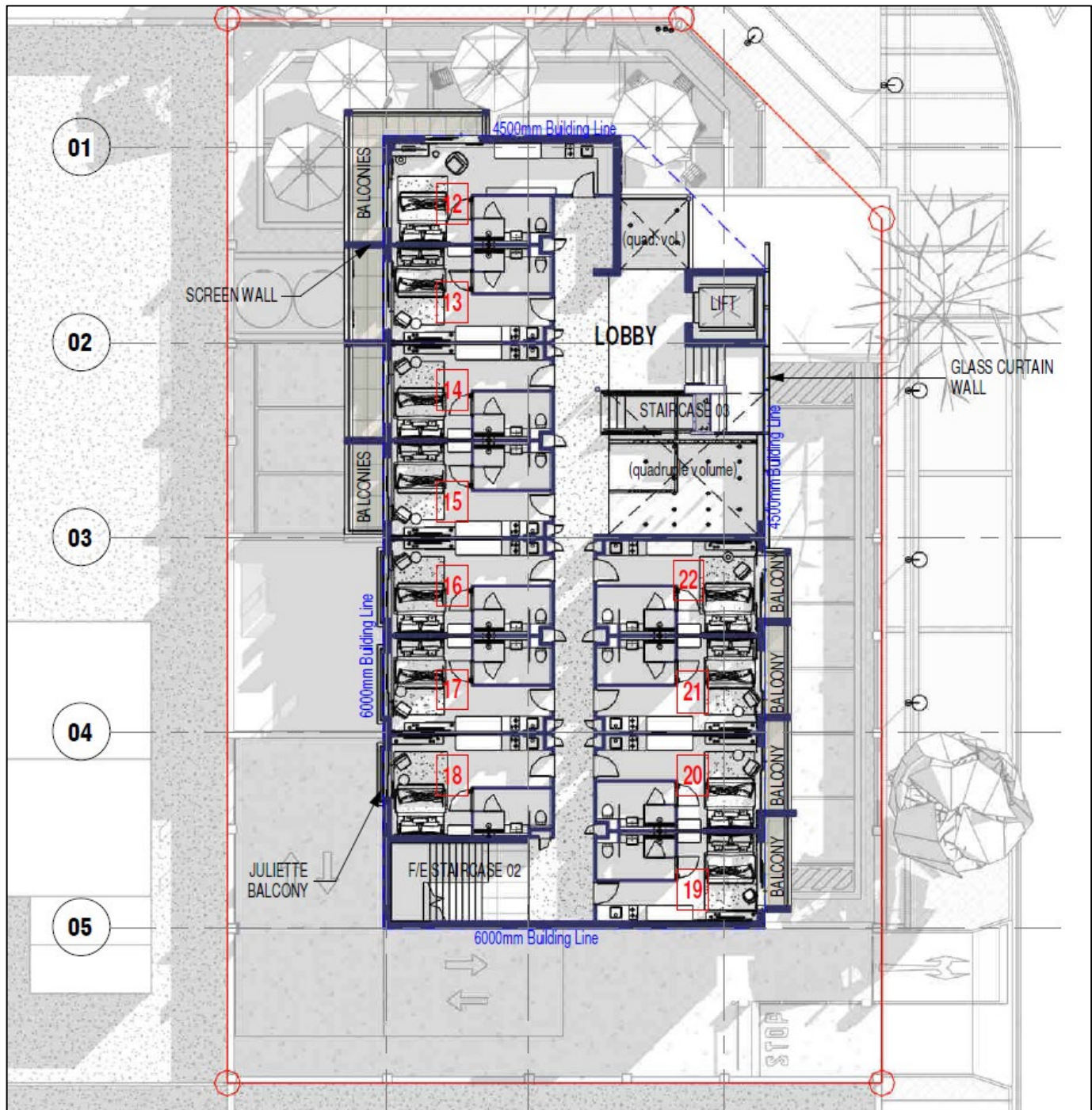


Figure 18 - Extract of Proposed Second Floor

4.5 Proposed Third Floor

The proposed third floor will have 8 one-bedroom units, each will have their own bathroom. Each unit/bedroom will have a small kitchenette to enable guests to make coffee/tea and a small bar fridge. Balconies will be situated on the northern and eastern boundaries facing Du Toit Street and Bergzicht Road with a few balconies situated on the western boundary, projecting 1.5m beyond the 6m setback line. A small outside terrace and swimming pool will be situated on the third floor, which will face Bergzicht street to add to the passive surveillance of the street.

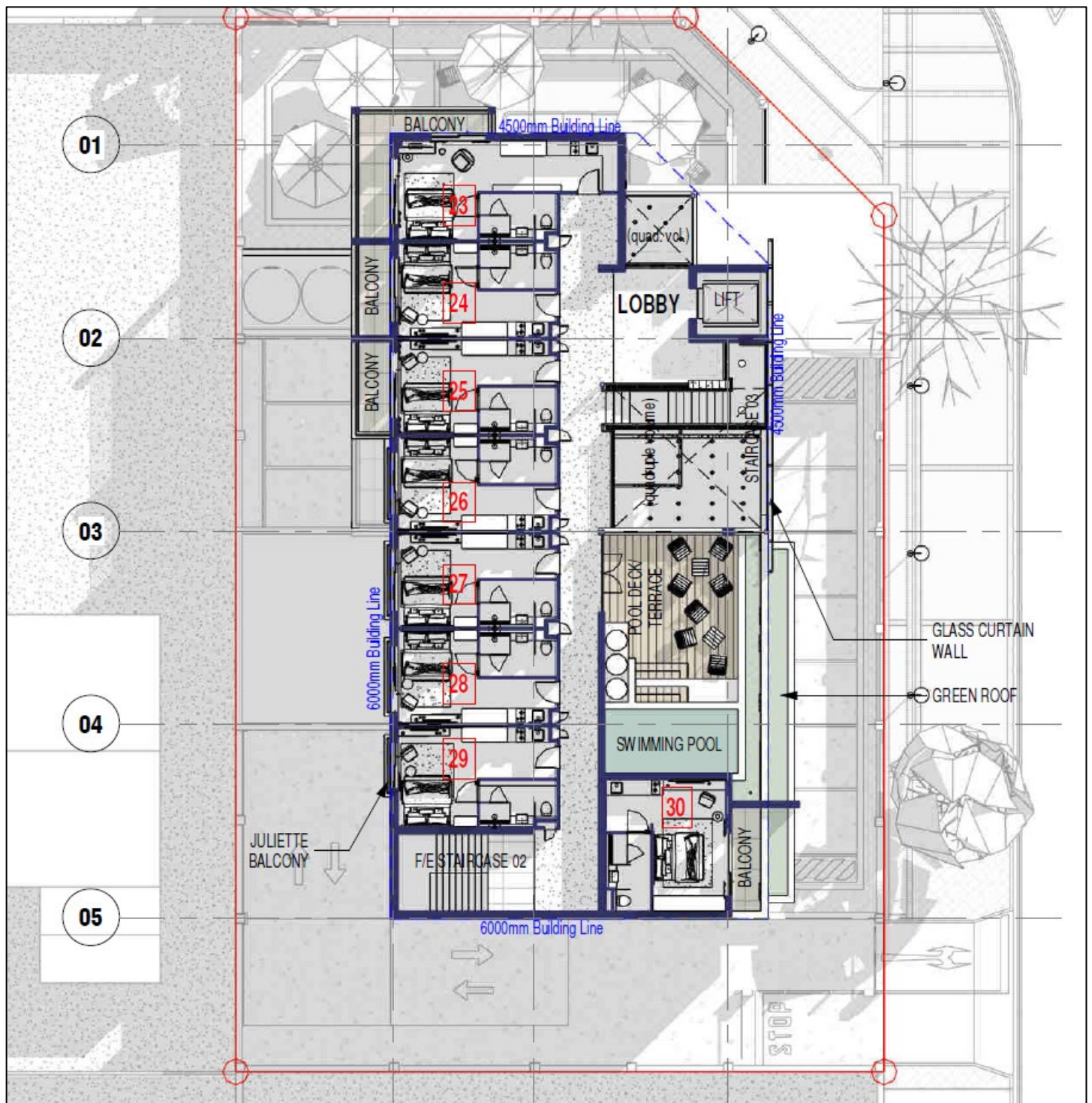


Figure 19 - Extract of Proposed Third Floor

4.6 Access and Parking

The proposed development will have direct access from Bergzicht Road on the south-eastern portion of the site as indicated in Figure 14 below. There will be 19 vehicle parking bays on the basement level and 13 vehicle parking bays on the ground floor which provides a total of 32 vehicle parking bays for the proposed 30 hotel apartments/rooms.

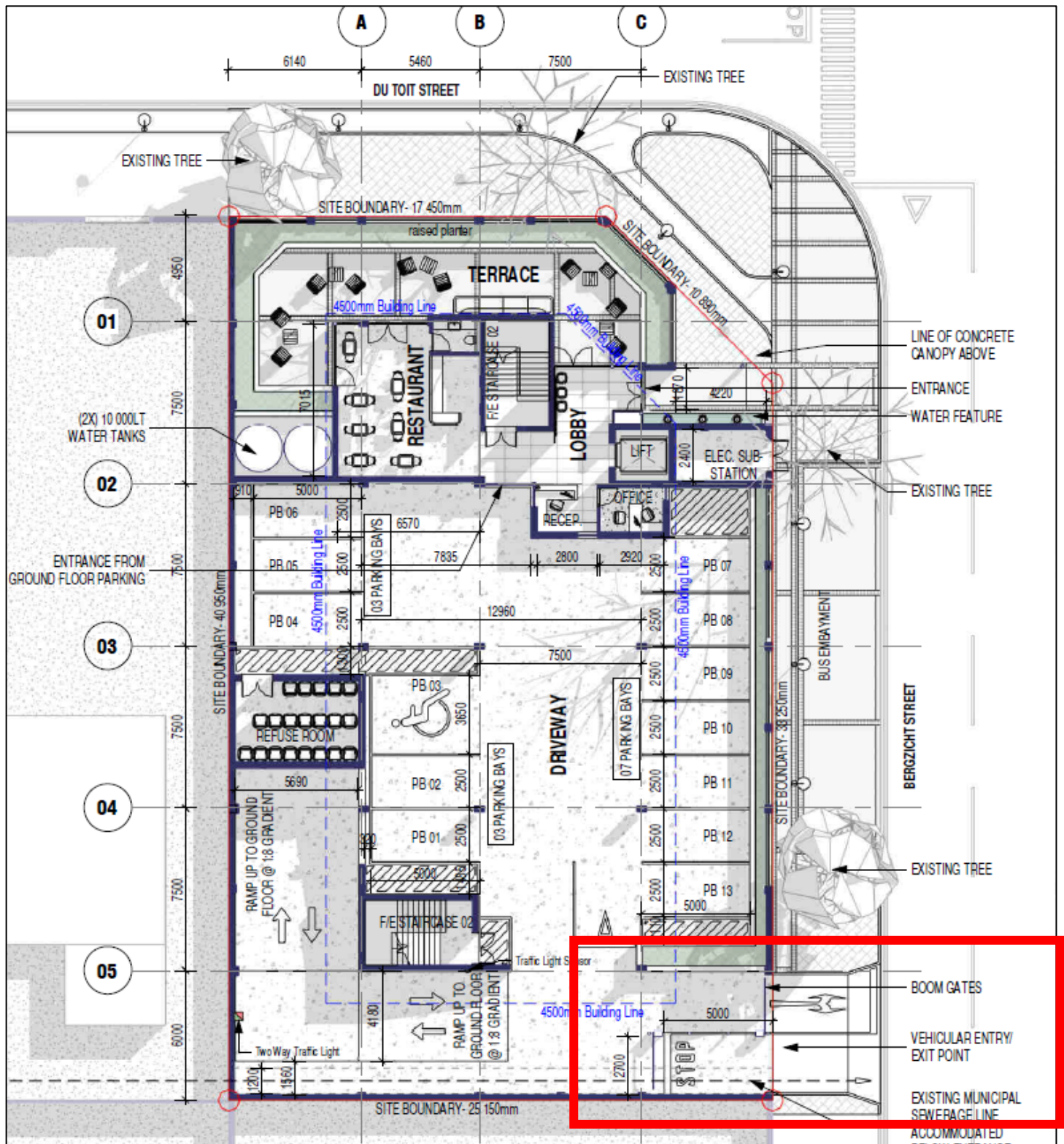


Figure 20 - Proposed Access Point

4.7 Building Height and Elevations

The proposed four storey building will have a height of $\pm 13.5\text{m}$ (to top of parapet).

As the application site falls within the Stellenbosch Municipal Urban Conservation Overlay Zone, it has to comply with the following:

Section 252(1)(a): *buildings may not exceed a height of 10 meters, measured from existing ground level to top of roof or top of parapet, which limit is applicable only to the first 15 meters measured from a public road.*

The application site is a corner property with two public street frontages, which complicates the optimal use of the site within the Urban Conservation Overlay Zone, should the 15m setback be applied. The setback requirement significantly constrains the developable footprint and limits the efficient utilisation of the property.

The proposed development exceeds the 10m height restriction by approximately 3.5m, without the application of an upper-level setback. It is understood that the intention of the setback requirement is to prevent the development of overbearing, monolithic buildings within the town centre context.

In response to this concern, the proposed design has been carefully considered to reduce perceived building mass through façade articulation, the introduction of balconies and recessed elements, vertical modulation, roof-level setbacks, and softened building edges. These design interventions ensure that the building does not appear overbearing or visually intrusive within the streetscape. Balconies and roof terraces further soften the building's impact while maintaining active street engagement at ground-floor level and providing passive surveillance from the upper floors. The building is therefore read as a well-scaled, articulated structure rather than a monolithic block.

The proposed development will improve the pedestrian experience along Bergzicht Road and Du Toit Street by introducing active ground floor uses (restaurant and hotel entrance), landscaping and planting, sheltered entrances, and visual transparency at ground level. It also introduces a new active street front through the reception and lobby visibility, restaurant and terrace interfaces, pedestrian-scaled entrances, and landscaping elements that soften the boundary.



Figure 21 - Bergzicht Street / East Elevation

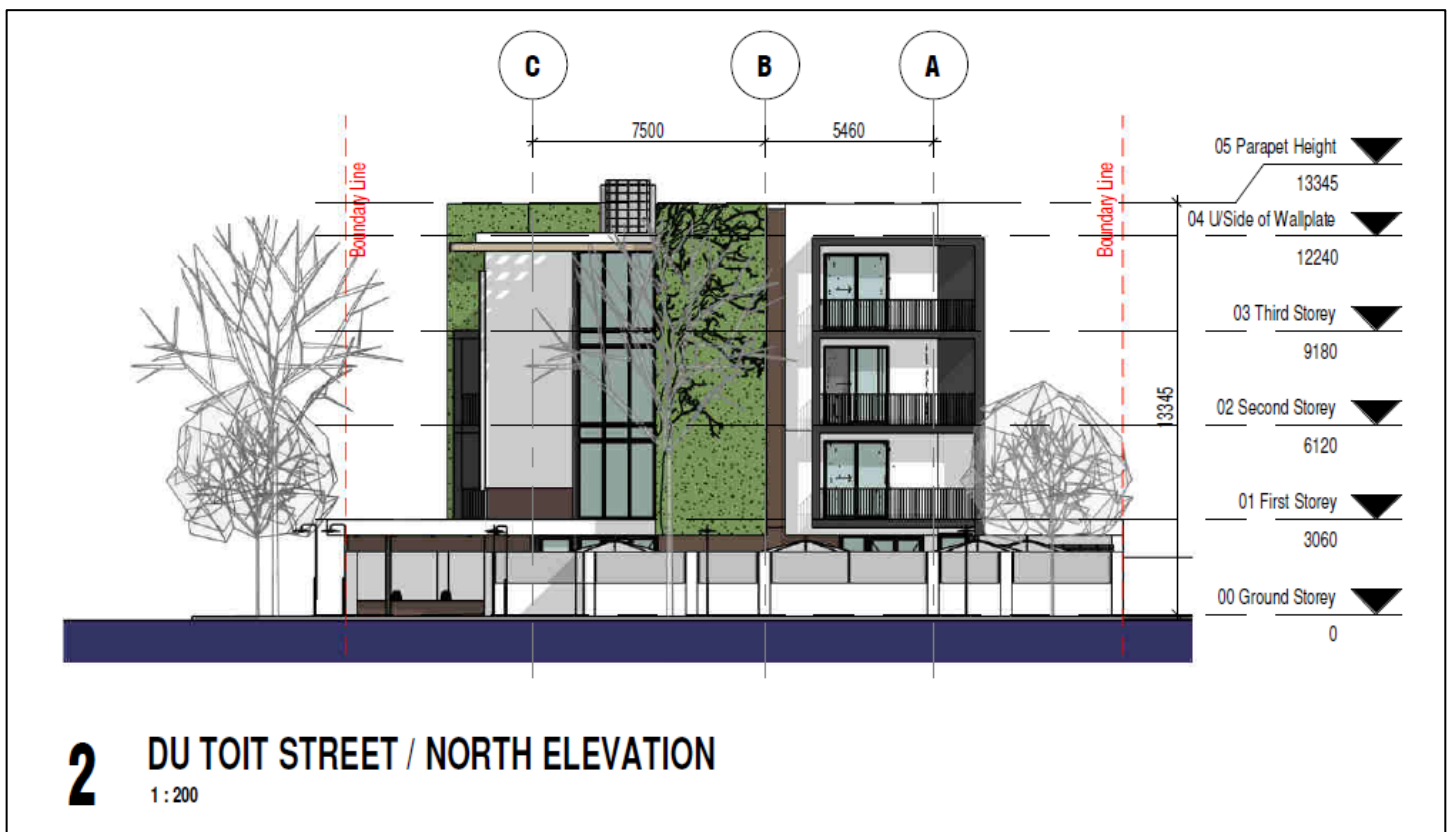


Figure 22 - Du Toit Street / North Elevation

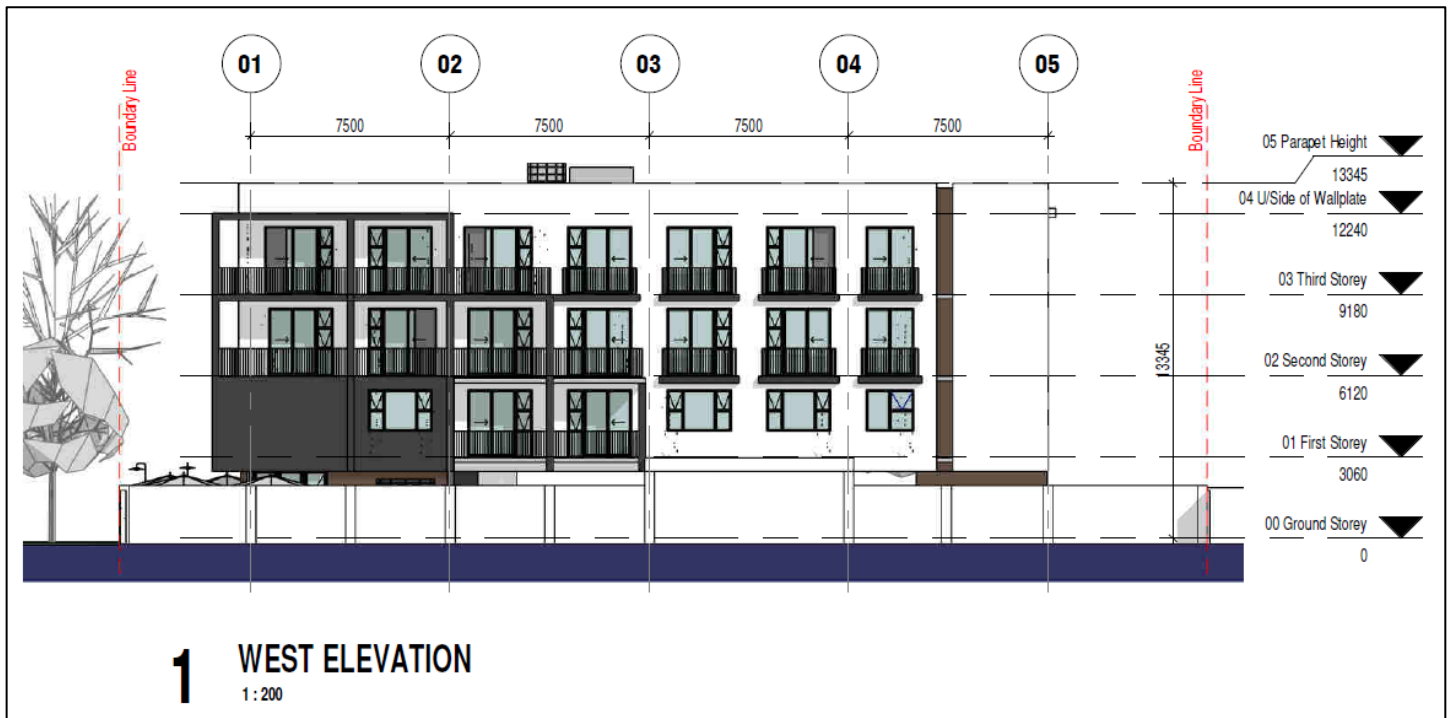


Figure 23 - West Elevation

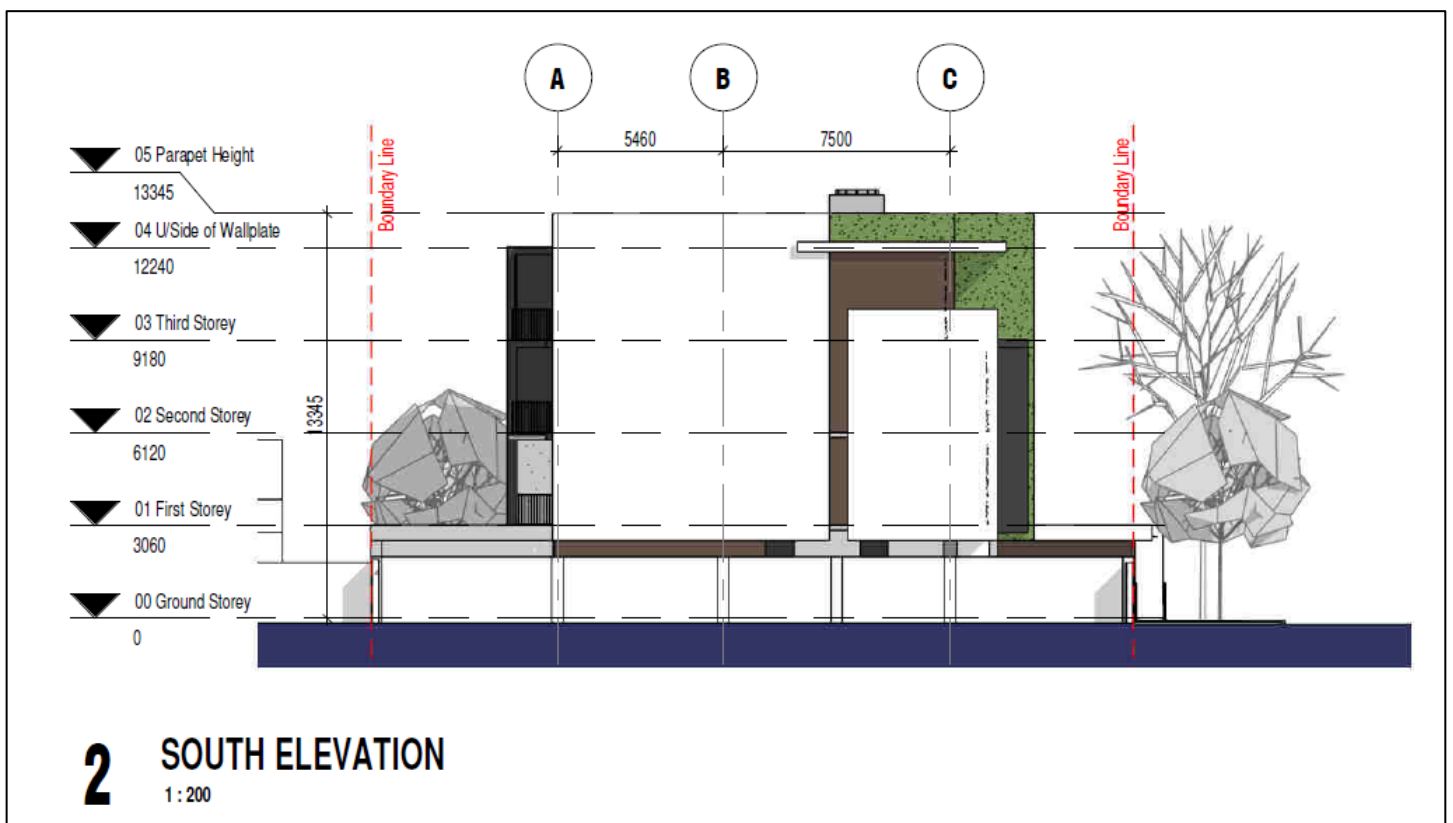


Figure 24 - South Elevation

4.8 Building Development Parameters

Table 2, below, is a summary of the applicable building development parameters pertaining to the proposed conversion if the site is rezoned to Mixed Use Zone.

Land Use Parameters	Mixed Use Zone	Proposed Development	Compliance / Departs
Street Building Line (BL) (hotel)	4.5m	4.5m (building) 3.5m (only balconies)	Complies Departure
Common Boundary BL	Ground floor: 4.5m First floor: 4.5m Second floor: 6m	Ground floor: 4.5m First floor: 4.5m Second floor: 4.5m (only balconies) Third floor: 4.5m (only balconies)	Complies Complies Departure Departure
Max Coverage	50%	± 565m ² (±57%)	Departure
Max Height	6 storeys	4 storeys	Complies
Parking (hotel)	1 bay per suite/bedroom = 30 bays 4 bays per 100m ² GLA = 2 bays	30 bays 2 bays	Complies Complies

Table 2 Compliance with Development Parameters

4.9 Traffic Impact Statement

A Traffic Impact Statement has been done by ITS Global and is attached as **Annexure F**. This report assessed the transport implications associated with the proposed redevelopment of Erf 290 in Stellenbosch:

- The assessment confirms that the proposed development will generate low traffic volumes, with approximately 12 vehicles during the AM peak hour and 18 during the PM peak hour, which is not expected to materially affect the operation of the surrounding road network.
- Adequate on-site parking is provided in accordance with the Stellenbosch Municipality Zoning Scheme, and the proposed access from Bergzicht Street is considered suitable for the scale of the development, with sufficient on-site stacking to prevent spillback into the public road.
- Public transport demand is expected to be limited, while the provision of pedestrian walkways will support accessibility and align with the anticipated densification of the area.

Based on the above, the proposed development is considered acceptable from a transport engineering perspective and may be supported.

4.10 Availability of Services

Please refer to **Annexure G** for a copy of the Services Capacity Report and findings on the impact of the proposed development on the existing services capacity in the area.

5. MOTIVATION

As set out in Section 33(4) and 65(1) of the Stellenbosch Municipality Land Use By-law (2023), certain criteria need be met in consideration of an application by the decision-making authorities. In line with this section, Table 3 below firstly provides the motivation for the removal of the title deed restrictions (in terms of Section 33(4)) and secondly provides the motivation for the proposed development in terms of desirability, impact on engineering services and compliance with other legislation, polices and structure plans:

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;	In the case of Erf 290, the property is located opposite the Van der Stel Sports Grounds and within walking distance of the town centre. The area already includes mixed-use, institutional and higher-density developments. Because of this, it is difficult to show that any neighbouring property currently receives a real financial benefit from the site being limited to one dwelling with one-third coverage. Any "value" linked to the restriction is therefore indirect and not measurable.
(b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;	<p>The main benefit to neighbouring owners of keeping the restrictions would be that the area remains a low-density single-family neighbourhood. Erf 290 remains a single residential house with large setbacks and a small building footprint. This would mean less activity, less overlooking and lower traffic compared to a larger development.</p> <p>However, over the last two to three years, 21 of the 28 single residential houses in this precinct have been sold to private developers. The vast majority of houses, though appearing single residential in nature, is currently occupied by students. The area is clearly no longer a family orientated neighbourhood, and it is reasonable to expect that, with the planned upgrades on van der Stel Sportsgrounds and the high-density developments planned for the Adam Tas Corridor, it is highly unlikely that this neighbourhood will ever be converted back.</p> <p>It should also be noted that the surrounding area is no longer purely single residential in character. Many nearby properties are used for higher density accommodation, and recent developments such as The Alxndr Building have introduced four-storey buildings in the same broader area. As mentioned above, the upgrading of the Van der Stel Sportsgrounds will bring more activity and movement into the precinct which is not compatible with a single-family orientated neighbourhood.</p> <p>The character of the area has already changed and the area has been identified in the SDF as an area for densification. It is motivated that the reason for introducing these restrictions, to protect the single residential character of the area, is no longer applicable and in direct conflict with more recent and applicable densification policies.</p>

<p>(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;</p>	<p>By removing the restrictive conditions, the landowner will be able to unlock the development potential of the property in the following ways:</p> <ul style="list-style-type: none"> • Removing the “residential purposes only” restriction allows the proposed development to include a small restaurant, which will serve both the hotel guests and the wider area, specifically the future visitors to the Van der Stell Sportsgrounds. • Removing the “one dwelling only” restriction allows multiple units instead of a single house. • Removing the one-third coverage restriction makes it possible to achieve the proposed 57% coverage, which is needed to make the development workable, including parking and circulation space. • Removing the old building line restrictions allows the building to align with the current zoning scheme and enables the proposed balconies that activate the street edge. <p>Without removing these restrictions, the site would remain underdeveloped despite being in a central location opposite a major sports facility and close to the CBD. The removal allows the land to be used more efficiently and in line with current municipal planning policy.</p>
<p>(d) the social benefit of the restrictive condition remaining in place in its existing form;</p>	<p>If the restrictions remain, the site would be limited to one house with large setbacks and low coverage. While this would keep the traditional low-density pattern of the original township layout, it would not reflect the current or future development direction of the area. The Stellenbosch Spatial Development Framework supports higher-density infill and mixed-use development within the town centre. The area around the Van der Stel Sports Grounds is expected to become more active and more densely developed over time. Keeping a low density, single residential dwelling on this site would not contribute meaningfully to the broader development vision for the area. The social benefit of retaining the restrictions is therefore limited.</p>
<p>(e) the social benefit of the removal, suspension or amendment of the restrictive condition;</p>	<p>Removing the restrictions will allow the development of a purpose-built aparthotel that supports tourism and sporting activities in Stellenbosch.</p> <p>The development will:</p> <ul style="list-style-type: none"> • Provide short-term accommodation within walking distance of the sports grounds and town centre. • Support local restaurants, shops and services. • Create construction and long-term operational jobs. • Make better use of land within the existing urban edge, thereby reducing the pressure on agricultural land to be used for tourist accommodation. • Improve street activity and passive surveillance through balconies and an active ground-floor restaurant.

	<p>The proposal aligns with municipal policy that supports densification and mixed-use development in central areas. The social benefit of removing the restrictions is therefore clear and supports the broader planning goals of the Municipality.</p>
<p>(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.</p>	<p>Removing the title deed restrictions does not take away any ownership rights from neighbouring properties. It also does not remove their right to comment on or object to the application.</p> <p>The development will still be subject to:</p> <ul style="list-style-type: none"> • The Stellenbosch Zoning Scheme, • The Urban Conservation Overlay controls, • Building plan approval, • Any applicable municipal conditions. <p>The removal only takes away outdated private restrictions that limit the use and development of the property. All normal planning controls will still apply. For this reason, no fundamental rights of neighbouring owners are being removed - only the historic limitations that no longer align with current planning policy.</p>
Section 65(1) Criteria	Assessment of Proposal
<p>a. Desirability of land use:</p>	<p>The following section will consider the desirability of each of the different applications included in this application. The desirability and motivation for the removal of the title deed restrictions have been discussed above.</p> <p>Rezoning:</p> <p>Though the current character of the precinct still appears to be a low density single residential neighbourhood, it is unreasonable and illogical to expect this area, being situated between Precinct 7 and 8 of the ATC (which has been earmarked for high density developments with densities of up to 120 to 150 units/ha and building heights ranging between 4 to 6 storeys), and the town centre to stay a single residential family orientated neighbourhood. This is the only Conventional Residential erven in the wider precinct area and though it might still visually represent low density single residential family houses, it is a well-known fact that it is not used as such, as mentioned before. It is therefore unreasonable to expect that the character of the area will stay the same. The proposed development clearly responds to the densities and heights proposed for the ATC precincts as it will provide an interface between the very high densities proposed for the ATC Precincts and the somewhat lower densities in the historical part of town.</p> <p>The only way to unlock the development potential of the site and to allow for densification, as supported by the SDF and national densification policies, is to rezone the application site to a zoning category which will allow for densification.</p>

	<p>As the proposed development allows for a small restaurant (open to the public), the only zoning categories which could be considered was the Local Business zone and the Mixed-Use zone.</p> <p>As the main purpose of the Local Business zone is to allow for <u>low-density commercial and non-residential uses</u>, is considered that the proposed development (per definition predominantly a Tourist Accommodation Establishment with a small restaurant) could be better accommodated within the Mixed-Use zoning category, as the proposed development is considered a primary land use within this zone. The Local Business zone also limits the height of the development to three storeys, where the Mixed-Use zone allows for a maximum of six storeys. The height of the proposed development can therefore be accommodated within the Mixed-Use zone without having to apply for a height departure. It is important to note that though this zoning category allows for six storeys, the height restriction placed by the Urban Conservation Overlay zone helps to limit the height of buildings in this area to that which is considered contextually appropriate.</p> <p>Type of Land Use (Mixed-Use: Tourist Accommodation Establishment and restaurant):</p> <p>It is considered that well-designed mixed-use developments, such as the proposed, often improve the overall character of a neighbourhood by:</p> <ul style="list-style-type: none"> • improving area vitality, • supporting local business, • upgrading underutilised sites, • enhancing urban safety. <p>As many of the houses are currently being occupied by students, the houses stand vacant for 3 – 4 months a year, which results in security concerns. The proposed development will significantly improve the safety in the area as it is well known that tourist accommodation in Stellenbosch has a very high occupancy rate in contrast to student accommodation.</p> <p>The proposed development introduces investment and renewal within the area.</p> <p>Tourist accommodation helps to draw more tourists to town for longer durations which helps to stimulate the economy (by supporting restaurants, shops and local businesses), in contrast to day visitors who can choose to drive in for the day and leave without having to visit the local businesses.</p> <p>Given the central location of the application site in Stellenbosch Town, rezoning the property and developing a hotel would align seamlessly with the town's tourism</p>
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infrastructure. Such a development would not only cater to the accommodation needs of visitors but also integrate into the cultural and economic fabric of Stellenbosch, providing guests with immediate access to the town's array of experiences.

Building Lines:

Though the proposed development slightly projects over the allowed building lines, to allow for the balconies facing towards du Toit street, Bergzicht road and the western common boundary, it is considered that the setbacks are still sufficient. In terms of the building lines on the street boundaries – it is considered that the position on the balconies, closer to the street, will help with passive and activity observation to the benefit of the proposed development as well as the surrounding area. In the last few years, safety in the area has deteriorated, especially in the late afternoons, evenings and in the early mornings and during university holidays, when most of the houses are vacant. The balconies facing the streets will help to improve safety, by both passive and active surveillance.

The balconies proposed on the western common boundary, will be set back with 4.5m from the neighbouring property. It should be noted that this neighbouring property, is one of nine properties in this block that has been sold to a developer and has already been part of a large redevelopment application, with a higher building and much narrower building line setbacks. Though this application was refused, we are aware that the developers are in the process of preparing a new application for submission which includes this neighbouring property (Erf 289). It can be reasonably expected that this erf will be redeveloped and will highly likely (as previously) include balconies on the application site's common boundary. Though there will be some overlooking, it is considered that the proposed 4.5m setback will not result in loss of privacy and overlooking to the extent to warrant refusal.

Coverage:

The coverage of the proposed development exceeds to allowable coverage with 7% (which equates to 70m²). Over the last few years, property values have escalated to the extent that redevelopment of properties are becoming less feasible. It is therefore imperative that, where considered appropriate, the maximum use of land, especially within the town centre, is optimised to its full potential, Similar to that which has been approved for The Alxndr.

It is considered that the proposed slight increase in coverage will not have a negative impact on the surrounding properties or the character of the area, nor would it result in the over development of the site or the development of a overbearing building. The proposed development can be described as efficient use of land within the urban edge, does not result in the loss of agricultural land, and is sensible infill and densification,

Height:

As the building is situated in the Urban Conservation Overlay zone, it has to have a setback, from any street boundary, of 15m above a height of 10m. As the application site is situated on a street corner, the required 15m setback is required in two boundaries of the site, which severely limits the development potential of the site. The motivation for the setback departure is discussed under Section 4.7 above, for ease of reference, it is highlighted again below:

The proposed development exceeds the 10 m height restriction by approximately 3.5 m, without the application of an upper-level setback. It is understood that the intention of the setback requirement is to prevent the development of overbearing, monolithic buildings within the town centre context.

In response to this concern, the proposed design has been carefully considered to reduce perceived building mass through façade articulation, the introduction of balconies and recessed elements, vertical modulation, roof-level setbacks, and softened building edges. These design interventions ensure that the building does not appear overbearing or visually intrusive within the streetscape. Balconies and roof terraces further soften the building's impact while maintaining active street engagement at ground-floor level and providing passive surveillance from the upper floors. The building is therefore read as a well-scaled, articulated structure rather than a monolithic block.

i. Socio-economic impact:

The proposed hotel is expected to boost local tourism (strengthens tourist accommodation supply without losing existing homes for residents), create jobs, and benefit nearby businesses. Once operational, the hotel would create jobs in hospitality, management, housekeeping, maintenance, and security. The proposed Aparthotel responds to economic diversification and tourism development opportunities while remaining within the urban edge avoiding unnecessary sprawl. Rezoning to Mixed Use will enable a land-use mix that supports pedestrian activity, meeting place functions and improved local economic flows without creating isolated uses.

ii. Compatibility with surrounding uses:

The existing character of the surrounding residential area (along du Toit and Alexander streets) can be described as:

- predominantly single residential properties,
- relatively inactive street edges,
- limited pedestrian activation outside sporting events, and
- low visual engagement along property boundaries.

The proposed development introduces an opportunity to upgrade this interface with improved public engagement and street activity.

The broader land use context is characterised by a mix of:

- public and institutional uses (Van der Stel Sportsground, police station, Municipal Court)
- mixed-use and commercial properties along Alexander Road,
- residential properties (most currently used for student accommodation), and
- the recently developed The Alxndr building.

The approved upgrading and redevelopment of the Van der Stel Sportsground will significantly enhance the intensity and frequency of sporting events and recreational activities in the area. This will generate increased demand for short-term accommodation within walking distance of the facility.

The proposed Aparthotel is particularly appropriate in this context because:

- It directly supports the functioning of the sports precinct by providing short-term accommodation for visiting athletes, teams, spectators and event participants.
- It reduces the need for event-related traffic by allowing visitors to stay within walking distance of the sports grounds.
- It complements the intended mixed-use, medium- to high-density character envisaged in Precinct 8 of the Adam Tas Corridor.
- It introduces managed, professionally operated accommodation rather than uncontrolled student houses.

Unlike permanent residential densification, the hotel use:

- generates more predictable and managed activity,
- avoids long-term pressure on schools and community facilities,
- includes on-site management and operational oversight.

The proposed development therefore strengthens the emerging sports, tourism and mixed-use character of the area and is fully compatible with the future planning vision for the area, as set out in the SDF, with specific reference to Precinct 7 and 8 of the ATC.

iii. Impact on the external engineering services:

Please refer to **Annexure G** for a copy of the Services Capacity Report and findings on the impact of the proposed development on the existing services capacity in the area. It is important to note, that if this development proposal is approved, the developer will have to pay a substantial development contribution fee to the Municipality which will help fund future services upgrades to the benefit of not only this area but also Stellenbosch Town.

It should future be noted that the TIS, found that the increased in traffic to be generated by the proposed development can be considered minimal and would not require any road upgrades.

iv. Impact on safety, health and wellbeing of the surrounding community:

Please refer to the sections above which have already provided a motivation in terms of safety, health and wellbeing.

v. Impact on heritage:

Though the property falls within the Urban Conservation Overlay Zone (URCO1), it does not fall within an area with any formally graded heritage buildings. The application site does not contain a formally graded heritage structure, and the existing dwelling is not considered to have significant architectural or cultural heritage value.

Precedent exists within the same conservation area for four-storey development (e.g., The Alxndr), where Council supported contextual densification near the CBD and University. The proposal therefore respects the objectives of the conservation overlay while accommodating appropriate urban densification. It is not considered that the proposed development will have any negative impact on the heritage character of the town centre.

vi. Impact on the biophysical environment:

The site is located within the established urban edge and is already developed with a single dwelling. The proposal therefore constitutes urban infill rather than expansion into natural or sensitive areas. No watercourses, protected vegetation or biodiversity features are present on the property. The development will utilise existing municipal services infrastructure and stormwater will be managed in accordance with municipal requirements.

By promoting densification within a serviced urban area and within walking distance of key amenities, the proposal supports a more compact and sustainable urban form. The biophysical impact is therefore considered minimal.

vii. Traffic impacts, parking, access and other transport related considerations:

The development provides compliant on-site parking provision as shown in submitted plans, ensuring minimal overflow parking impact. No street parking will be required. Access arrangements, including controlled entry and exit, manage traffic safely. Short-

	<p>term accommodation generates dispersed traffic patterns rather than concentrated commuter peaks.</p> <p>It is therefore considered that the proposed development will not result in any negative impact on traffic to warrant refusal. It is strongly motivated that the proposed development, providing tourist accommodation within walking distance from the historical town centre and the Van Der Stel Sportsgrounds will in effect reduce the impact of traffic in and around the town centre.</p> <p><i>viii. Whether the impositions of conditions can mitigate an adverse impact of the proposed use or development of land:</i></p> <p>It is not considered that the proposed development will result in any adverse impacts, however should Council believe such impact to exist, this can be mitigated through appropriate conditions of approval.</p>
<p>b. The principles referred to in Chapter VI of the Land Use Planning Act.</p>	<p>Spatial Justice:</p> <p>The proposal contributes to spatial justice by supporting tourism and economic activities within the urban core. It reinforces inclusive urban growth within the urban edge rather than promoting exclusionary peripheral development and supports mixed-use integration near existing public infrastructure.</p> <p>Spatial Sustainability:</p> <p>The proposed development promotes spatial sustainability through densification within an existing serviced area and by supporting non-motorised transport due to its proximity to amenities. By reducing reliance on private vehicles, the proposal encourages more sustainable mobility patterns. It enhances the long-term economic sustainability of the area by supporting tourism and strengthening the Van der Stel sports precinct. The compact, mixed-use form of the development aligns with sustainable urban settlement patterns and promotes more efficient use of land and infrastructure.</p> <p>Efficiency:</p> <p>The proposal promotes efficiency by utilising existing bulk services, capitalising on established road infrastructure and surrounding amenities. It supports appropriate densification in close proximity to major public and institutional facilities and provides on-site parking to avoid placing additional strain on public infrastructure. By generating economic return from underutilised land, the proposed development represents a more efficient use of the erf compared to the existing single dwelling, particularly given its strategic location.</p> <p>Good Administration:</p>

	<p>The application includes transparent processes that involves relevant stakeholders including public participation to ensures their inputs on matters that affects them.</p> <p>Spatial Resilience:</p> <p>The development enhances spatial resilience by diversifying land use within the precinct and supporting the viability of the upgraded sports complex. It strengthens the local tourism economy and introduces managed activity and passive surveillance to an area currently perceived as under-activated. The proposed built form is adaptable to future urban change, and the introduction of a mixed-use, medium-density development contributes to greater resilience compared to low-density, mono-functional residential developments in areas such as the strategically located site.</p>
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Table 3 Assessment of Application in terms of Section 33(4) and 65(1) of the By-Law

6. CONCLUSION

In conclusion, it is considered that the proposed development is desirable as the proposed development:

- i. The property is located in an area where higher density development is promoted and encouraged by Council due to its proximity to the Central Business District and Precincts 7 and 8 of the ATC.
- ii. Though the proposed development might be out of scale and character with the current low density residential nature of the properties directly west of the application site, it is clear that the character of the neighbourhood has already changed and will densify in the near future, as discussed above. It is rational to believe that the upgrade of the Van Der Stel Sportsground and the development of the ATC, which is strongly encouraged by the Stellenbosch Municipality, will result in the redevelopment of this single residential precinct.
- iii. The proposal is compatible with the surrounding land uses and built environment;
- iv. The specific residential offering will ensure that the units are occupied permanently and not only for eight months of the years as in the case of student accommodation;
- v. The proposal promotes Council policy as noted in the SDF and IDP of densification within the urban edge;
- vi. The proposal complies with the land use planning principles (spatial justice, spatial sustainability, efficiency, spatial resilience and good administration) referred to in section 59 of the Land Use Planning Act, 3 of 2014;
- vii. The residential development is in walking distance of the CBD and university which will reduce the number of vehicular trips generated by the building.

It is therefore respectfully requested that the following applications be considered for approval:

- i. **Rezoning** in terms of Section 15(2)(a) of the said bylaw of the subject property from Conventional Residential Zone to Mixed Use Zone for purposes of a tourist accommodation establishment (aparthotel).
- ii. **Permission in terms of the Zoning Scheme** in terms of Section 15(2)(g) in terms of the said bylaw to allow for the construction of a 4-storey building within the Urban and Rural Conservation Overlay Zone.

- iii. **Departure** in terms of Section 15(2)(b) of the said bylaw to relax the:
- a. Street building lines (on 2nd to 4th storey) from 4.5m to 3.5m to allow for balconies to encroach over the street building lines.
 - b. Common building lines on the western boundary (on 3rd to 4th storey) from 6.0m to 4.5m to allow for balconies to encroach over the common building lines.
 - c. Urban Conservation Overlay Zone height restriction of 10m to 13.3m for buildings located within 15m from the public road.
 - d. To allow for 57% in lieu of 50% coverage
- iv. **Removal of Restrictive Title Deed Conditions** in terms of Section 15(2)(f) of the said Bylaw, to remove the following conditions:
- a. Clause E1(a) ... "that this erf be used for residential purposes only."
 - b. Clause E1(b) ... "that only one dwelling together with such outbuildings as are ordinarily required to be used herewith, be erected on this erf."
 - c. Clause E1(c) ... "that no more than one-third the area of this erf be built upon."
 - d. Clause E1(d) ... "that no building or structure or any portion thereof except boundary walls and fences be erected nearer than 20 feet to the street line which forms a boundary of this erf. No such building or structure shall be situated within 10 feet of the lateral boundary common to any adjoining erf, and within 15 feet of the rear of this erf."
-

Report compiled by:

Carlien Coetzee (C/9982/2024)



Report reviewed by:

Marike Bolz (Director)

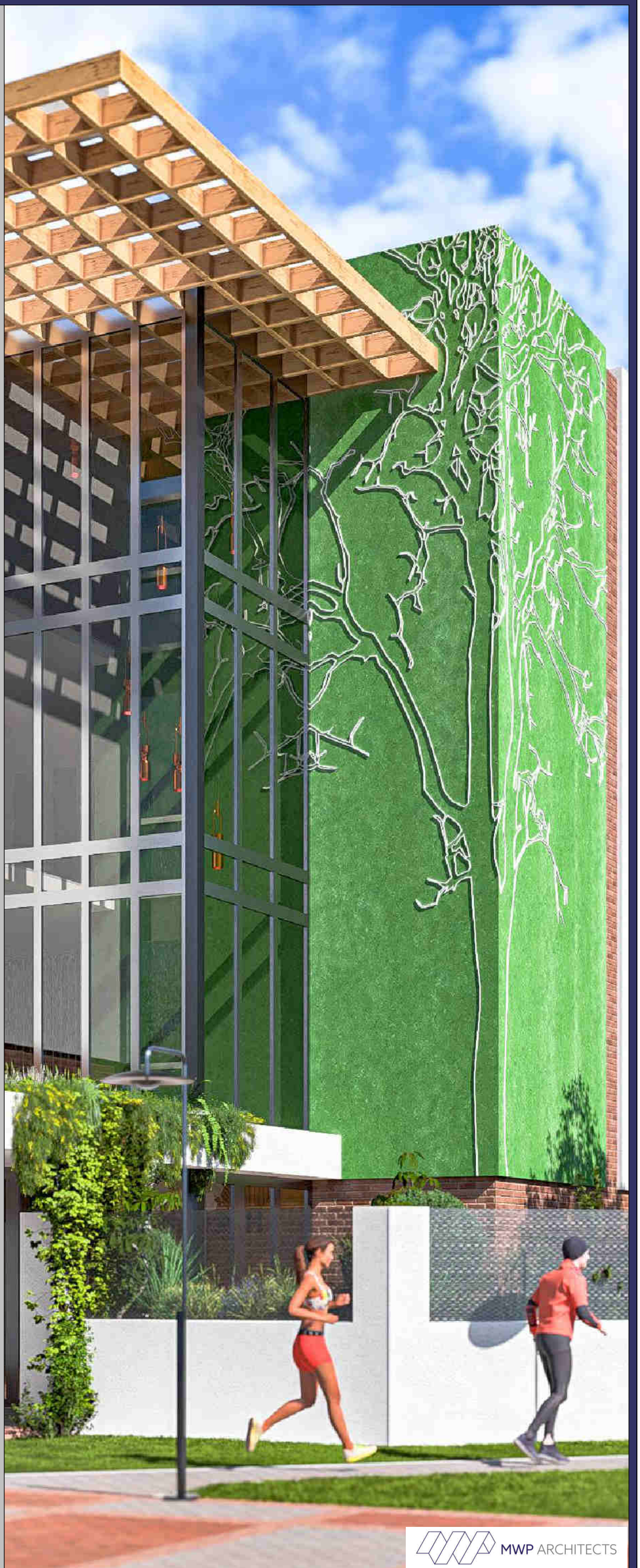


for Arch Town Planners (Pty) Ltd

Proposed New APARTMENT HOTEL in Stellenbosch, Western Cape

Erf 290,
03 Bergzicht Street,
Stellenbosch,
Western Cape

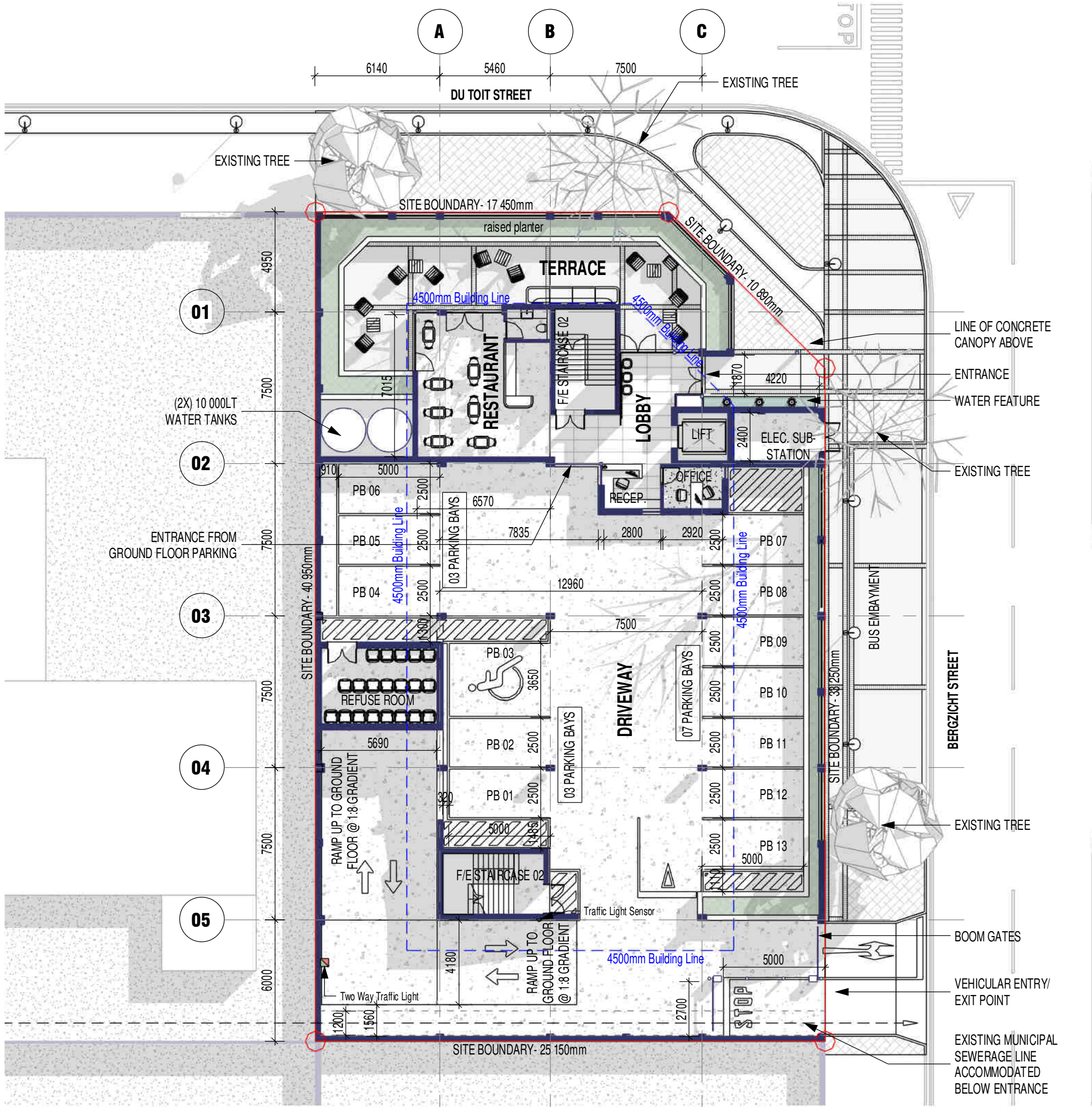
Architectural Sketch Presentation
(Rev 05)

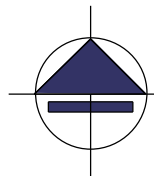






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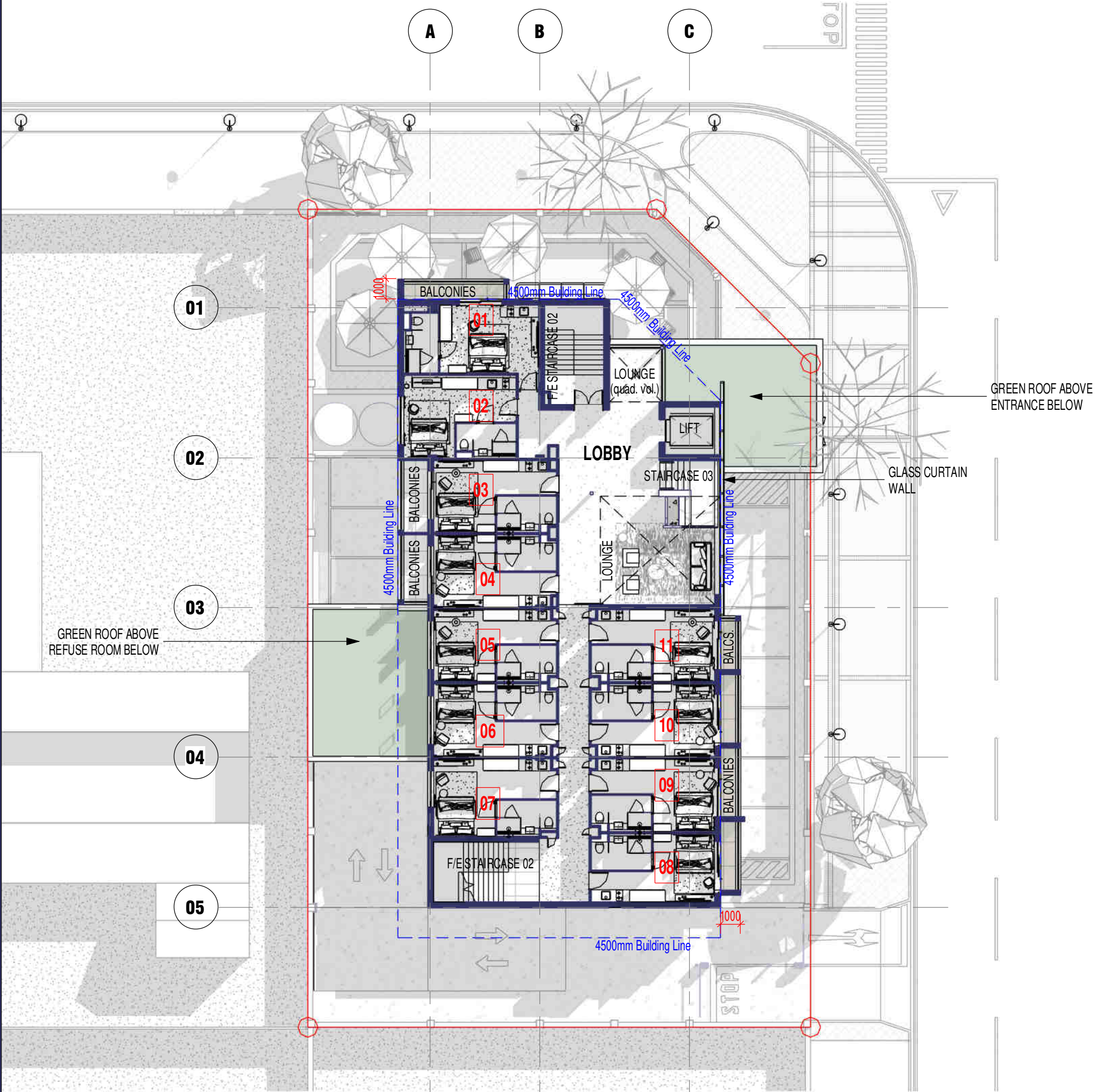
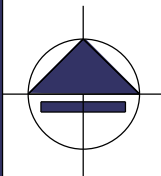
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Ground Storey Plan

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SCHEDULE OF RIGHTS			
PROPOSED NEW APARTMENT HOTEL ON ERF 290. 03 BERGZICHT STREET, STELLENBOSCH			
ZONING INFORMATION			
Site is currently zoned as Residential and the hotel proposal would require the site to be re-zoned to "MIXED-USE ZONE."			
Site Area-	1000sqm		
Development Control Measures			
	Permissible:	Actual:	
Coverage:	50% = 500sqm	57% = 565sqm	Non-Compliant
Maximum ht	6 Storeys	4 Storey	Compliant
PARKING REQUIREMENTS:			
1 bays per suite/ bedroom (30 suites therefore, 30 bays required)			
4 bays per 100sqm for restaurant (Restaurant = 50sqm therefore, 2 bays required)			
Total bays required- 32 Parking bays			
Total bays provided- 32 Parking bays (Compliant)			

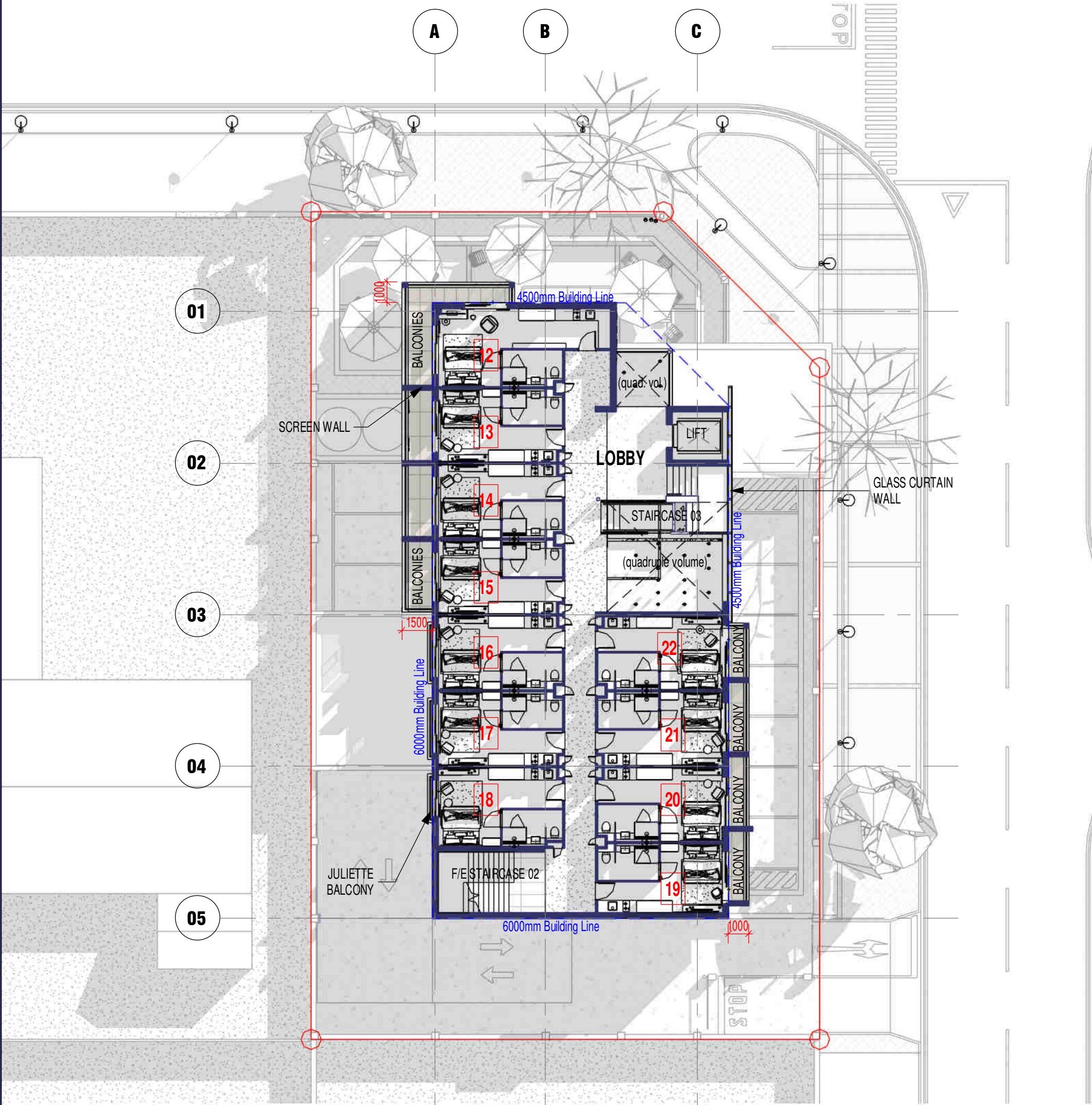


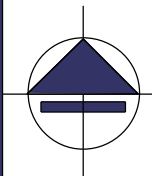


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First Storey Plan

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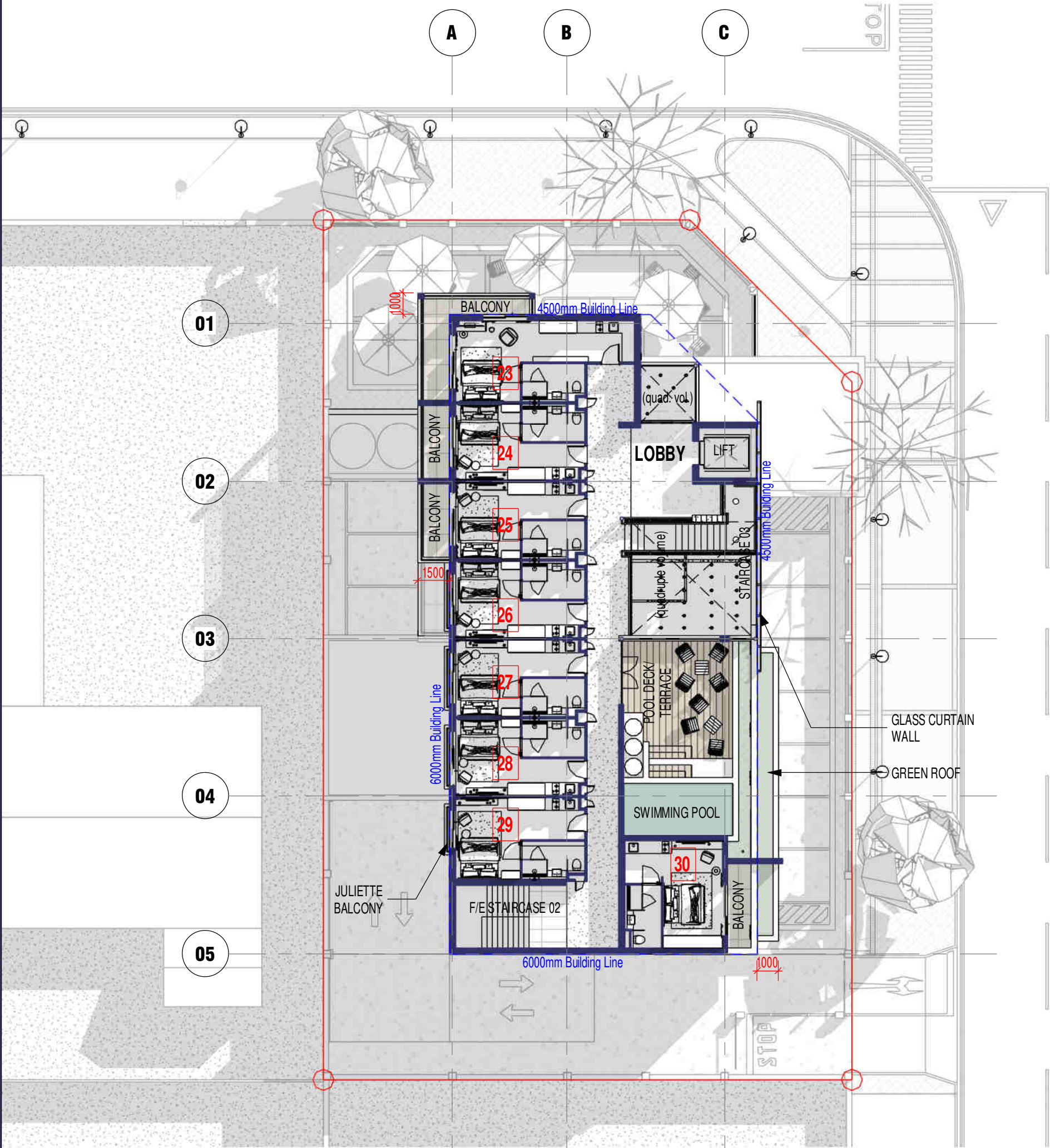
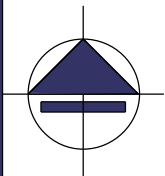




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Second Storey Plan

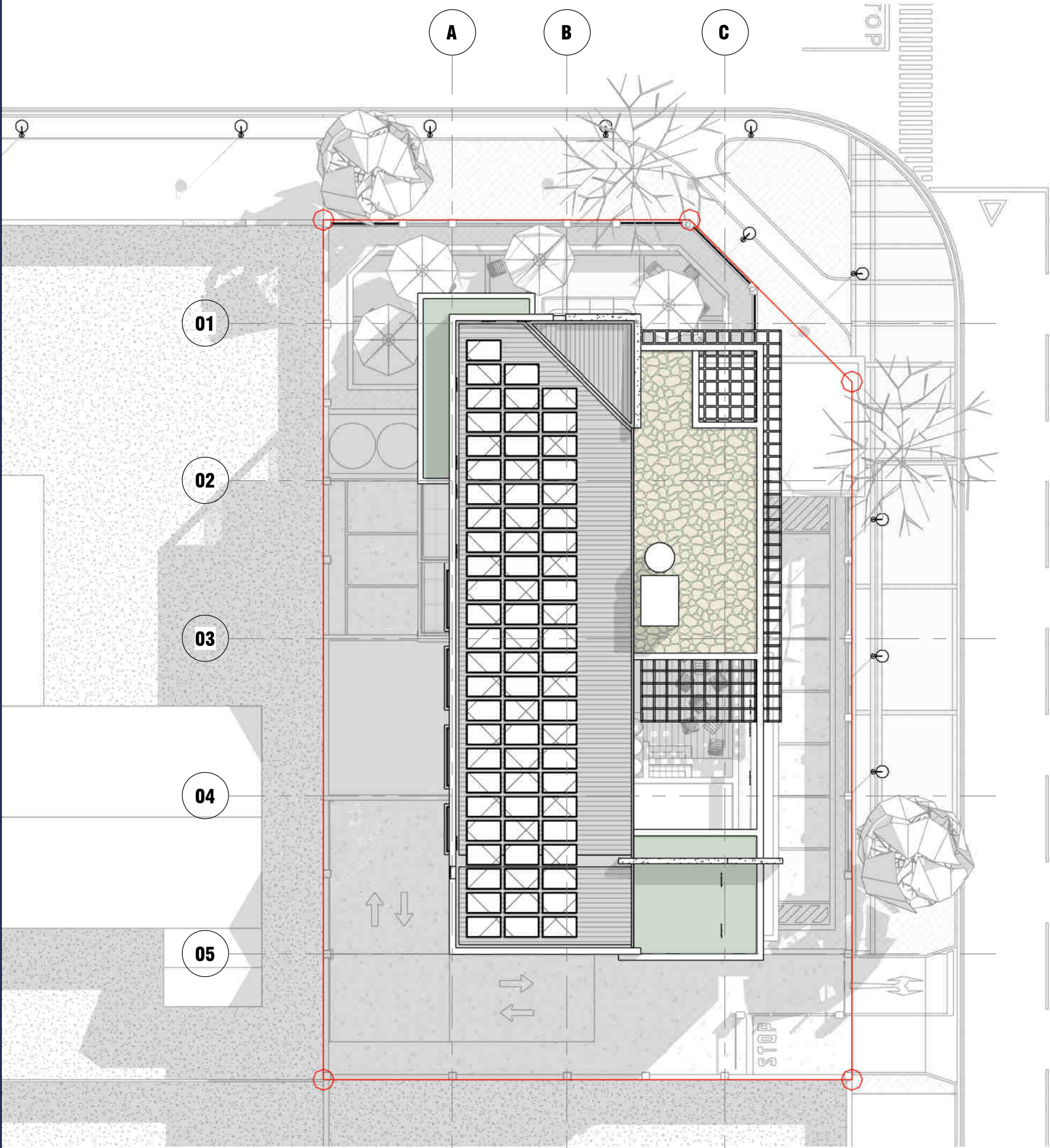
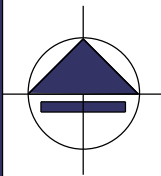
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Third Storey Plan

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Roof Storey Plan

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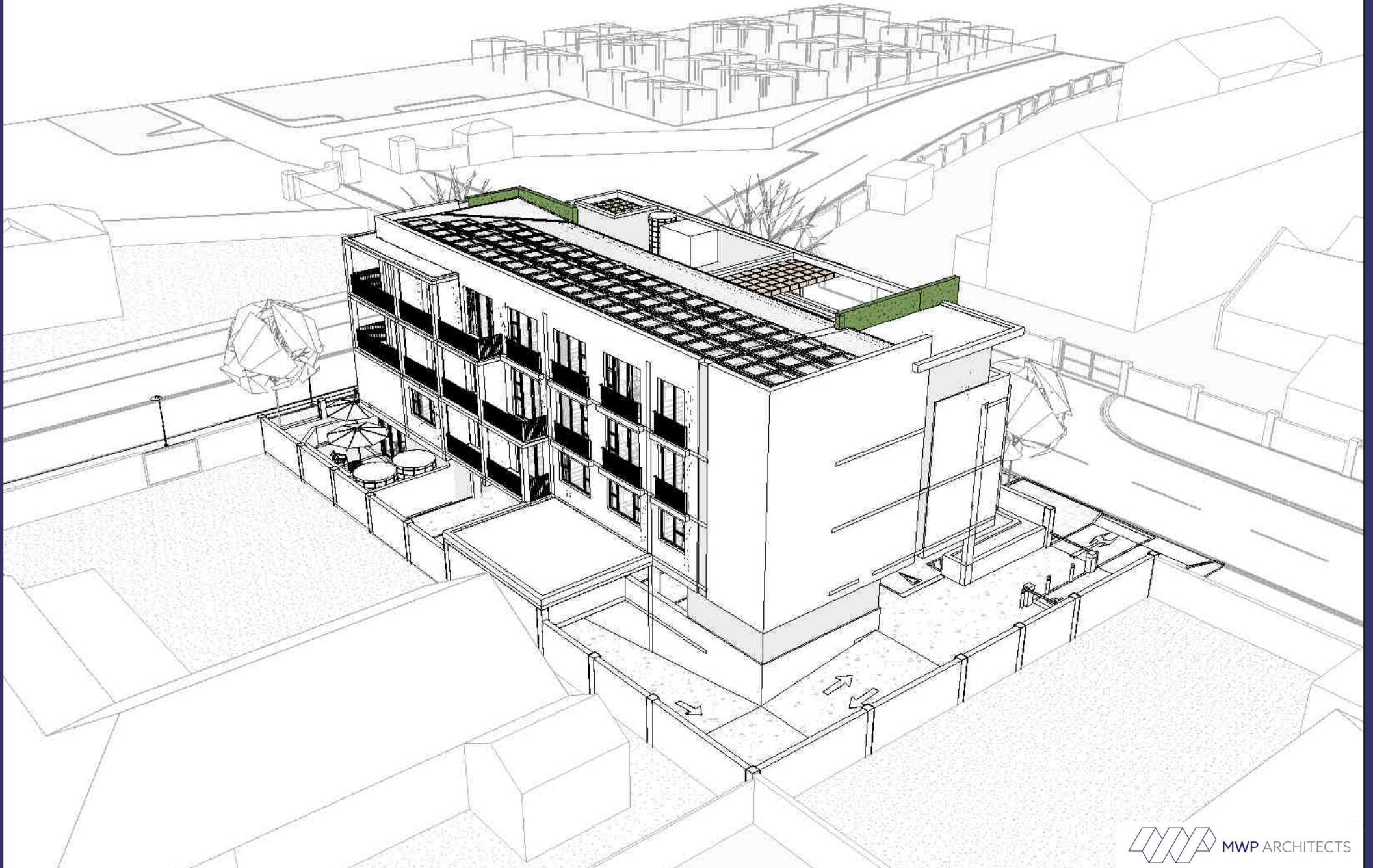




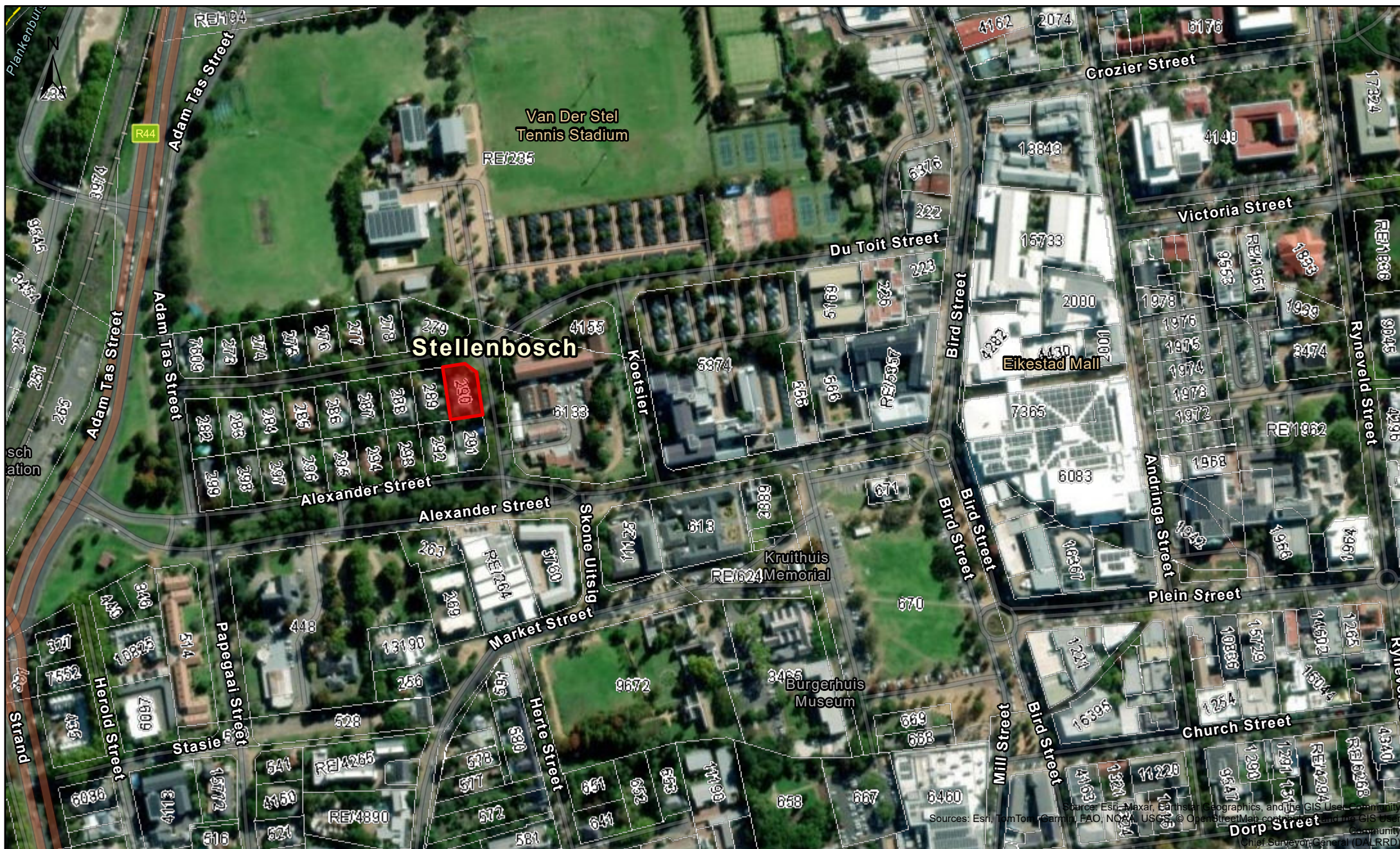


1 Aerial Perspective 01





Locality Plan - Erf 290, Stellenbosch



Date created: 2025/11/04

