



**CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD**

Case ID 1500155861

**Erf 10133, 11 Cleveland Street, Boston,
Bellville**

Development Management

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Erf 10133,
Bellville,
11 Cleveland Street

REZONING AND DEPARTURE APPLICATION



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B Art et Sc (Town and Regional Planning)

June 2026

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1. Introduction and background:

Interactive Town and Regional Planning was appointed by the owners of the property, and to prepare and submit an application for the rezoning of Erf 10133 Cape Town Bellville with departures in terms of the relevant legislation to accommodate the development proposal.

Refer to **Annexure B** for the Power of Attorney and Company Resolution.

2. Proposal summary:

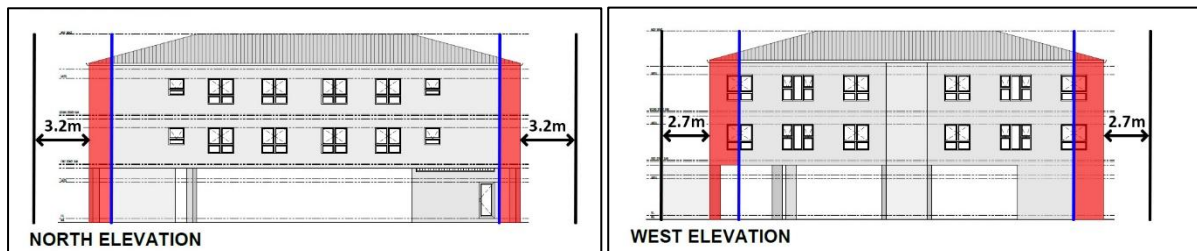
The proposal involves the demolition of an existing residential dwelling house on the property to accommodate a three-storey residential building flats on the first and second floors with parking a caretaker's flat and storage on the ground floor.

Since the existing zoning of the application site is Single Residential 1: Conventional Housing, a rezoning to General Residential 2 will be required to accommodate the development proposal for flats.

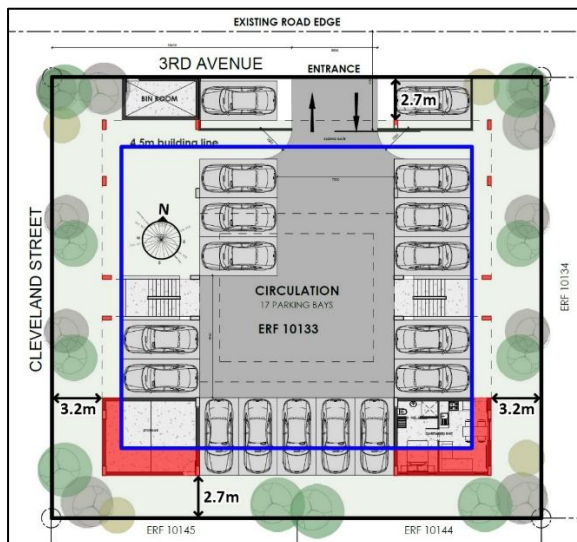
The building design exceeds the building lines and the allowed floor factor and subsequently the application includes departures to accommodate these proposed encroachments.

The development proposal is illustrated in the sketches here-below:

Elevations



Ground Floor



First & Second Floors

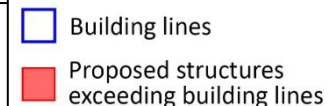


Figure 1: Building Plan illustrations

Refer to **Annexure H** for the proposed Building Plans.

Application is therefore made for:

- The Rezoning from Single Residential 1: Conventional Housing to General Residential Subzoning 2.
- A departure to relax the northern street building line from 6.54m to 2.7m.
- A departure to relax the western street building line from 6.54m to 3.2m.
- A departure to relax the southern side building line from 6.54m to 2.7m.
- A departure to relax the eastern side building line from 6.54m to 3.2m.
- A departure to relax the maximum allowed floor factor from 1 to 1.02.



Erf 10133 Bellville, 892m² in extent is located at 11 Cleveland Street and is reflected in the Surveyor-General's diagram here-below in Figure 2. The subject property is registered in the names of _____ and _____

Also refer to **Annexure D** for the Surveyor General Diagrams.



The number of the application site's title deed is _____ The conveyancer Amelia Galvin from Virtual Lawyers has provided a conveyancer certificate indicated that Clause B1 of Title Deed _____ contains a title deed building line, however Clause B1 originated in 1920 which is prior to the promulgation of The Division of Land Ordinance No. 33 of 1934 which introduced statutory authority for imposing restrictive conditions. **Therefore the removal of Clause B1 of Title Deed _____ is not required for the proposed structures inside the referred building lines.**

The application area is not bonded. Refer to **Annexure C** for the title deed and conveyancer certificate.

4. Locality:

The locality of the application site is shown in terms of regional and local context here-below:

4.1 Regional Context:

The application area is located within Boston, Bellville, Cape Town. Refer to **Annexure E** for the Regional Context Plan.

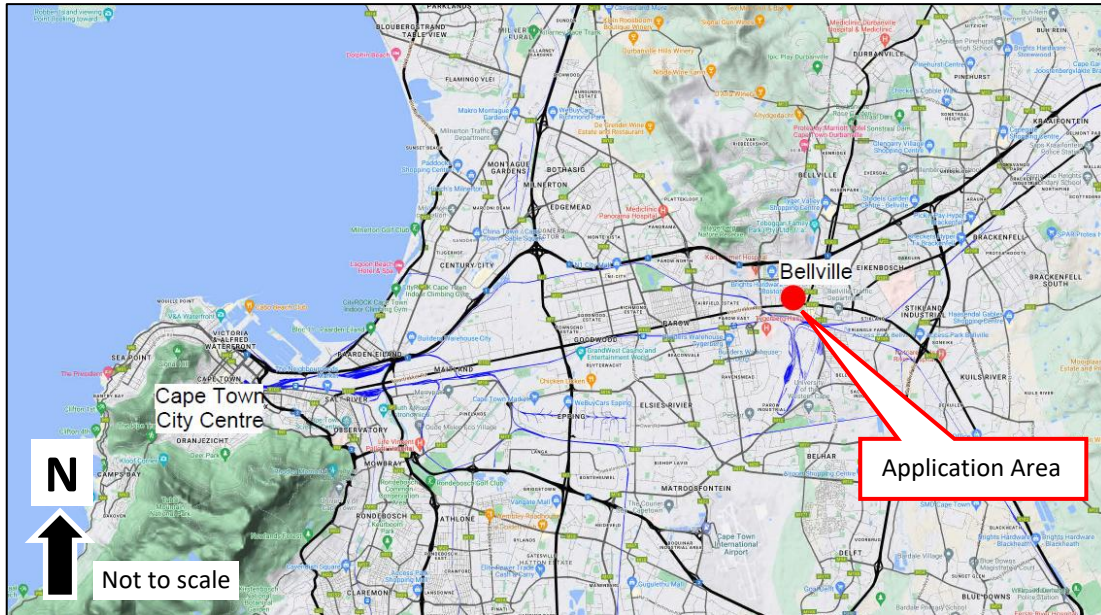


Figure 3: Regional Context

4.2 Local Context:

The subject property is located at 11 Cleveland Street, Boston. Refer to **Annexure E** for the Local Context Plan.



Figure 4: Local Context

5. Land Use

The application area land is presently used for single residential purposes. The land uses within the vicinity of the application area includes single residential, general residential and business uses. The proposal is for general residential land use, similar to the use west of the application site. The application proposal is considered consistent with the land use of the area. Refer to **Annexure G** for the Land Use Plan.

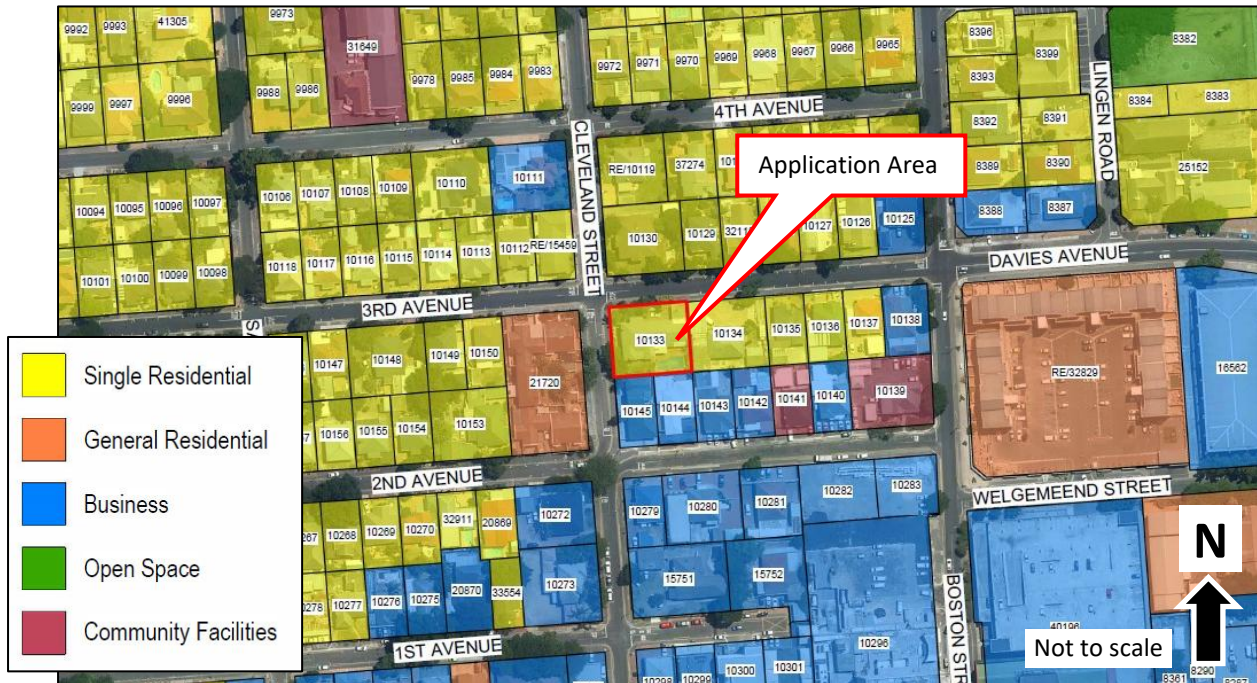


Figure 5: Land Use Map extract

6. Zoning:

The subject property is zoned Single Residential 1: Conventional Housing. The surrounding properties are zoned Single Residential 1: Conventional Housing, General Residential 2 and Local Business 1. The application proposal includes the rezoning of the application area to General Residential 2. The proposal is consistent with the zoning of the area. Refer to **Annexure F** for the Zoning Plan.



Figure 6: Zoning Map extract

7. Zoning Parameters:

In terms of the zoning scheme regulations the following summarized development parameters for Erf 10133 Bellville as per the Planning Scheme Regulation, are applicable:

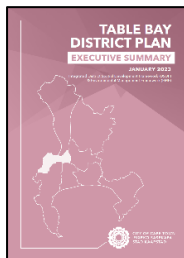
Criteria	Current Zoning	Proposed Zoning	Development Proposal	Comments
Zoning	Single Residential 1: Conventional Housing	General Residential 2	General Residential 2	Application includes a rezoning
Primary Use	Dwelling house, private road and additional use rights	Dwelling house, second dwelling, group housing, boarding house, guest house, flats, private road and open space	Flats	Consistent
Additional Use Rights	Home occupation, bed and breakfast establishment, second dwelling, third dwelling and home child care	N/A	N/A	
Consent Use	Utility service, place of instruction, place of worship, house shop, institution, guest house, minor rooftop base telecommunication station, rooftop base telecommunication station, wind turbine infrastructure, open space, urban agriculture, veterinary practice and halfway house	Utility service, place of instruction, place of worship, institution, hospital, place of assembly, home occupation, shops, hotel, conference facility, rooftop base telecommunication station and veterinary practice	N/A	Consistent
Coverage	N/A	60%	56%	Consistent
Floor factor	N/A	1	1.02	Application includes a departure
Floor space	1500m ²	N/A	1016m ²	Consistent
Height	9m to wallplate 11m to roof	15m	10.9m	Consistent
Street Building Lines	3.5m	4.5m	3.2m west 2.7m north	Application includes departures
Common Building Lines	3m	4,5 m or 0,6 H (0,0 m up to 15,0 m in height where intersecting a street boundary, for a distance of 18,0 m measured perpendicular from such street boundary) 10.9m height x 0.6 = 6.54m	2.7m south 3.2m north	Application includes departures
Parking	PT2 area: 0 bays	PT2 area: 0 bays	17 bays provided	Consistent

8. Policy

The following spatial policies are considered to be relevant to the application and the application area:

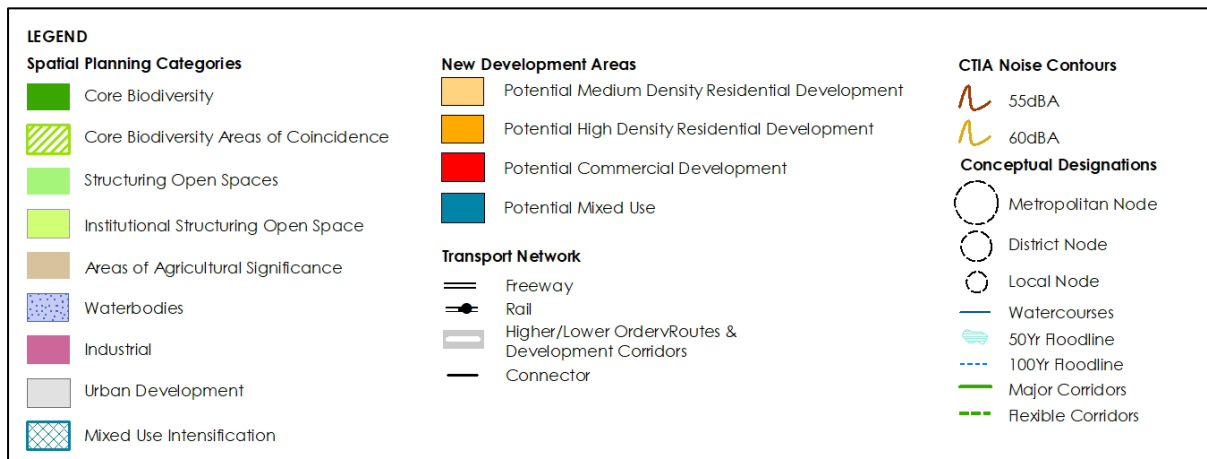
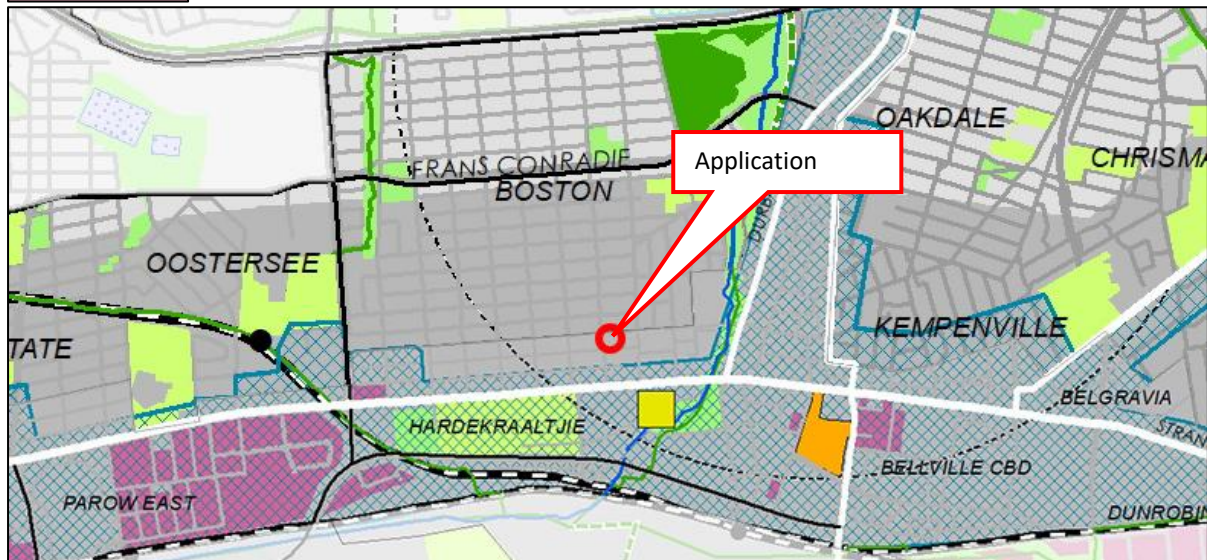
- Tygerberg Bay District Plan, 2023
- Boston Beleidsplan, 1998
- City of Cape Town Municipal Spatial Development Framework, 2023
- Western Cape Provincial Spatial Development Framework, 2014
- City of Cape Town Transit Oriented Development Strategic Framework, 2016
- City of Cape Town Social Development Strategy
- City of Cape Town Economic Growth Strategy, 2013
- Cape Town Densification Policy, 2012
- City of Cape Town's Designing Quality Places: Urban Design Policy, 2024
- Spatial Planning and Land Use Management Act, 2013
- Land Use Planning Act, 2014

(i) Tygerberg District Plan, 2023



The Tygerberg District Plan 2023 is a medium-term plan (developed on a +/- 10-year planning frame) that guides spatial development processes within the District.

The application is within an urban development area and within a metropolitan node.



“Table 8: Urban development SPC

TYPLOGIES AND DISTRICT ELEMENTS	DISTRICT DEVELOPMENT GUIDELINES
A) URBAN DEVELOPMENT – EXISTING	
Urban development: general to all areas	1. These areas should be considered for a wide variety of urban uses such as housing development, public open spaces, community facilities, mixed-use/business development (where appropriate), but should not include noxious industrial uses. 2. Sites indicated for urban development, but which also fall within identified precautionary areas, should take associated district development guidelines into account. 3. Support the incremental intensification over time of urban areas, where appropriate. This should be guided by suitability of the area for land use intensification, such as surrounding neighbourhood character and density; access to public transport; proximity to places of employment, services and social facilities; proximity to public open space, and infrastructure availability (existing and planned). In this regard, the provisions of the City’s approved Densification Policy also apply. 4. Consider the existing character and heritage areas of significance (as may be reflected in detailed policies) as an informant to development and redevelopment proposals. 5. Encourage resource-efficient design and promote net zero carbon buildings and precincts in alignment with City Urban Design Policy. 6. Promote an appropriate interface between mixed-use areas and adjacent spatial designations (such as low-density residential, agricultural, critical natural assets, structuring open spaces) through the use of sensitive design as informed by local-level guidance and spatial development plans, where applicable. 7. Encourage the provision of basic services, amenities and design considerations to support informal economic activity and to reduce negative externalities associated with unregulated business activity. This includes hard and soft landscaping, sufficiently wide pavements to accommodate trading space in high footfall areas, structures as context-appropriate, storage facilities, ablution facilities, waste collection/recycling, streetlights, water and electricity connections. This applies to all areas, but will be most relevant in high-volume pedestrian areas such as nodes, transport interchanges, civic precincts, destination places and other busy places. 8. Support the design of public space to create multifunctional internal public squares and linear spaces that can accommodate informal trading. These areas should be demarcated for trading, in line with the provisions of the City’s Informal Trading By-law and Informal Trading Policy. 9. Encourage the design of new developments and commercial centres to accommodate space for markets and less formal businesses in central and high-footfall parts of the development. 10. Support informal trading on identified safe and appropriate locations such as urban nodes, transport interchanges, commercial and shopping centres, public spaces, parking areas, road reserves and destination places. Increase the scope of land use rights for properties within local urban nodes by utilising overlay zones in appropriate areas. 11. Facilitate local economic development in townships by encouraging flexible land use rights along development routes and in nodes. This includes taking a flexible

	approach to home-based enterprises on residential zoned properties and developing overlay zones to specify the necessary rights, where required. 12. Support urban agriculture uses on the following land: (a) underutilised public land within or on the outskirts of housing development, and (b) housing development land that will not be used in the short term. Urban agriculture uses include allotment areas, community gardens and small-scale farming. 13. Support the establishment of urban agriculture in townships to grow township-based food markets. 14. Encourage the retention of green infrastructure ecosystem services and optimise them, wherever possible, through appropriate location and design choices.
B) URBAN DEVELOPMENT – RESIDENTIAL	
General – existing residential development	1. Promote the regeneration and refurbishment of well-located, underutilised buildings for affordable housing, where appropriate; ensuring sufficient provision of supporting amenities in line with requirements for provision of associated social facilities and recreational spaces. 2. Support future economic activity (home occupation) and second and third dwellings (or small-scale rental unit development in state subsidised housing programmes) to achieve mixed-use integration and densification, especially in single residential use zones. 3. Encourage the provision of adequate service ratios needed to support incremental densification. 4. Support the incremental upgrading and formalisation of areas where informal units are widely prevalent.
TERM	DEFINITION
METROPOLITAN NODE	An area characterised by the intensity (density), mix (diversity) and clustering of urban activities and land use found within them. Nodes often contain central access points to municipal or other services (subcouncil offices, and other services points) and centrally located community facilities (courts, hospitals/clinics, libraries, community halls, sports arenas).

1.5 Local policies to be withdrawn or amended

The following section includes a list of approved local level policies and plans that should be withdrawn or amended to ensure alignment with the new Tygerberg District Plan, once approved. The specific motivation for withdrawal or amendments are described in the tables below.

Table 12: Policies to be amended/updated

Policy or plan	Motivation and description of key amendments
Boston Beleidsplan (1998)	To be updated, if required. Further discussion with Land Use Management required."

Conclusion:

The Tygerberg District Plan, 2023 was screened for consistency with the application proposal. The Tygerberg District Plan, 2023 supports residential focused mixed land use intensification. The development proposal is consistent with the Tygerberg District Plan, 2023.

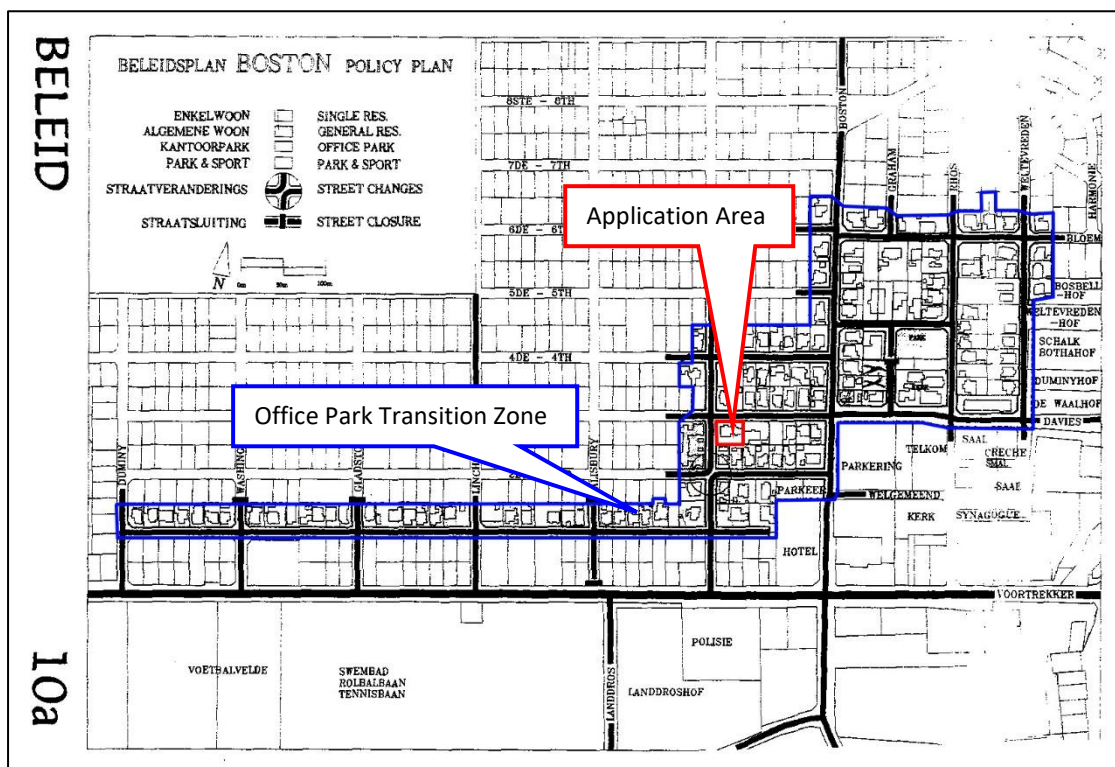
OFFICE OF THE
CITY CLERK

STAFF TIGERBORG
and
BOSTON
BELLESDPLAN

Approved 26 February 2019 by the Planning Council

BPC-ADMINISTRATIVE
2019
2/20/20

The application area is within the office park transition zone. The office park transition zone allows for a mix of office, single residential and general residential land uses. Buildings in the office park transition zone are proposed to be limited in terms of extent and nature of development to a scale that will be compatible and sympathetic to the adjacent or nearby single dwellings.



The application area is within the office park transition zone which allows for general residential structures and land use. The Boston Beleidsplan makes specific proposals to ensure that the structures and land uses within the office park transition zone are compatible with the character of the area, however the character of the area has changed since the inception of the Boston Beleidsplan, 1998 and the municipal strategic planning documents have changed as well, thus the Tygerberg District Plan proposes the cancelation of or amendments to the Boston Beleidsplan. The application proposal is considered compatible with the character of the area.

The following has been found relevant to the application:

To address Cape Town's fragmented spatial form and inefficiencies, harness potential, mitigate negative trends, and optimise scales of efficiency associated with investment commitments, the City needs to consider property and development economics, land use, and transport in an integrated manner.

The mutually supportive relationship between land use and transportation, and the importance of density and diversity within the city, remain relevant. Land use intensification¹³ implies a medium- to long-term mix of residential and non-residential land use (diversification) through the increased use of space, both horizontally and vertically (densification). This can be achieved within existing areas or properties and new developments. It implies an increase in the number of dwelling units or households (densification) in accessible, high-opportunity locations, good public transport accessibility and concentrations of employment opportunities, commercial development, social amenities/infrastructure and civic functions. This will generate the transport usage thresholds required to support a sustainable public transport system.

The core TOD principles¹⁴ are defined in diagram 3d. TOD principles, together with an integrated public transport network, serve as the basis for formation of the MSDF conceptual spatial structure.

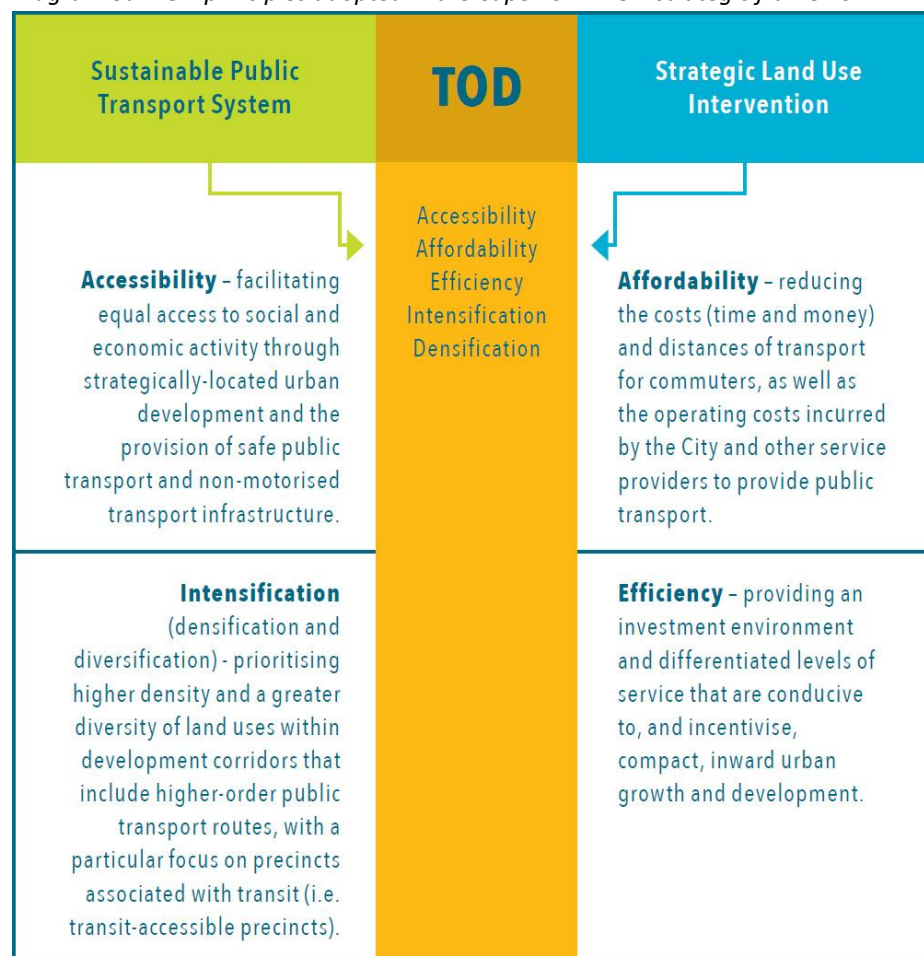
Transit-oriented development is the City's basis for land use intensification. It targets higher-density, mixed-land use development in close proximity to existing or planned high-capacity, high-quality public transport.

3.4 INTEGRATED PUBLIC TRANSPORT NETWORK (IPTN) PLAN

Notwithstanding the challenges affecting the roll-out of Cape Town's public transport network, the City's objective to intensify land use around public transport remains a firm commitment. The Comprehensive Integrated Transport Plan (under review) provides the strategic guidance framework within which the 2032 IPTN was developed. It outlines the strategic approach to designing an integrated public transport network for Cape Town that:

- *responds to the mobility needs of the future city;*
- *achieves an appropriate mix of modes; and*
- *provides a sustainable balance of adequate capacity and reduced travel time for all trips.*

Diagram 3d: TOD principles adopted in the Cape Town TOD strategic framework"



In terms of the Spatial Transformation Areas (STAs) plan, the application area is located within the Urban Inner Core and within a Structuring Corridor.

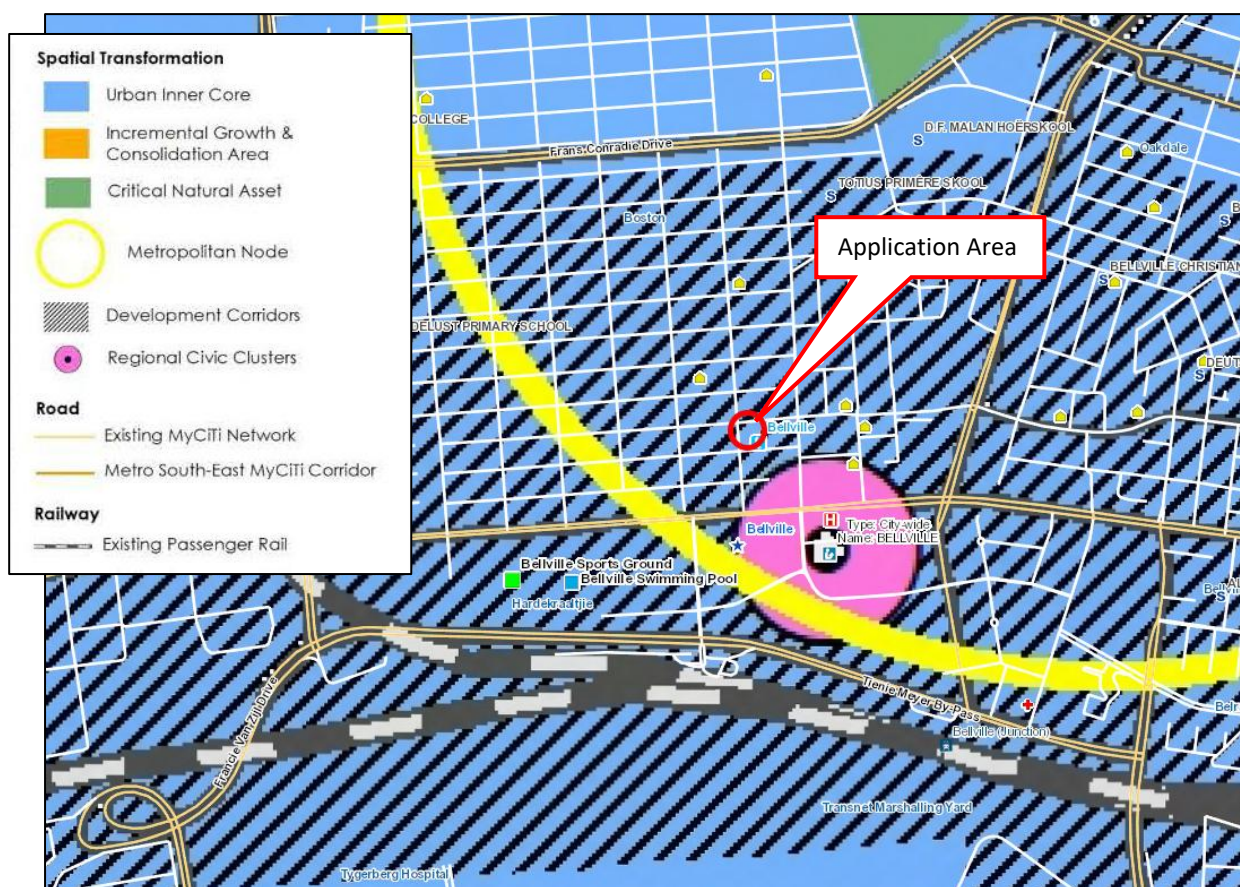


Figure 7: Spatial Transformation Areas (STAs) extract - MSDF 2023

“Table 4.3: Spatial transformation areas – principles, informants and guidelines

URBAN INNER CORE	
PRINCIPLE	The City and public and private sectors are committed to coordinated, spatially targeted investment and land development to spatially transform and integrate the city form.
INVESTMENT PARTNERSHIP	The City and public and private sector investment priority areas for spatially targeted interventions and mechanisms.
INFORMANTS	1. Primary structuring elements as per revised IPTN including metropolitan nodes and district nodes 2. District nodes and development corridors (higher order and lower order) 3. Areas designated as development focus areas and urban support areas in relevant DSDFs Economic areas and public sector investment prioritisation in: 4. Majority of commercial, retail and industrial nodes 5. Airport/ports and primary freight infrastructure 6. Three integration zones (Blue Downs/Symphony Way, metro southeast, Voortrekker Road) 7. Metro southeast MyCiTi corridor implementation/IPTN 8. Blue Downs passenger rail link extension 9. Full extent of urban development zone, prioritised human settlements and draft social restructuring zones as well as special economic zone 10. Public transport zones 1 and 2 (when declared)
DESIRED SPATIAL OUTCOMES AND	Diverse and dense land uses in association with current and future public transport infrastructure provision. Refer to technical supplements B and E.

LAND USE GUIDELINES	<i>Spatial manifestation of the following legislative requirements per SPLUMA development principles, norms and standards and MPPM regulations.¹⁹ Include areas where the following apply:</i> • <i>Key focus area for a wide variety of affordable housing priority areas and land release strategies.</i> • <i>High priority is given to coordination, alignment and integration of sectoral master planning and policies.</i> • <i>Public and private land development that is supportive of spatial transformation is prioritised and implemented.</i> • <i>Intensification and diversification of land uses support city growth, unless classified as a facility of (inter)national, provincial or metropolitan or district importance. This may imply that space-intensive land uses such as large distribution centres, large sports stadiums or racing car tracks may have to be replaced over time with more intensified and diversified land uses.</i> • <i>Differentiated intensification guidelines outlined in table 5.7.</i> • <i>Detailed local plans are developed for subdistrict areas in need of spatially targeted interventions through applicable DSDFs and LSDFs and development guidelines.</i> • <i>Priority is given to spatially targeted interventions and optimisation of public and private land development in development focus areas, urban support areas as well as new development areas.</i> • <i>Public expenditure and other capital investment are prioritised to address urban infrastructure constraints and services redress.</i> • <i>Prioritisation to address current social infrastructure backlogs, operational deficiencies and needs. This provision is not applicable in cases of unlawful occupation of private land.</i> • <i>Government grant expenditure is coordinated and prioritised in support of spatially targeted mechanisms such as UDZ/SEZ and other strategic interventions.</i> <i>Public expenditure and other capital investment prioritisation to address urban infrastructure constraints and services redress.</i> <i>Optimised design and utilisation of social or community facilities as well as public open spaces and ecological corridors (considering UIC is targeted for densification, diversification and intensification of land uses).</i>
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Table 5.5: Structuring elements supportive of land use intensification

SPATIAL PLANNING CATEGORIES (SPCS)	DESCRIPTION
Development corridors Map 5d	<i>Corridors designated as structuring are typified by intensified and diversified land use. They reflect the targeted, prioritised areas earmarked for the largest spectrum of land use mix associated with the highest density of population and employment. They are inclusive of integration zones and link diverse economic nodes – ranging from mature and developing to emerging, and across a hierarchy of function and services levels (metropolitan and district).</i> <i>Examples include:</i> Metro-scale corridors: <i>Voortrekker Road/Van Riebeeck Road (CBD to Bellville CBD); southern suburbs Main Road to Muizenberg; R27/Marine Drive/Koeberg Road and Blaauwberg Road; metro southeast MyCiTi corridor/Govan Mbeki (between Claremont/Wynberg and metro southeast); AZ Berman (to Mitchells Plain CBD); Bonga/Walter Sisulu (to Khayelitsha CBD); Blue Downs-Symphony Way corridor.</i>

Nodes & civic clusters Map 5d	Nodes are characterised by the intensity (density), mix (diversity) and clustering of urban activities and land use found within them. Nodes often contain central access points to municipal or other civic services (subcouncil offices) and centrally located community facilities/social infrastructure (courts, hospitals, clinics, libraries, community halls, sports arenas). These are reflected as a range of civic clusters at different levels and with varying catchment sizes (regional, community and neighbourhood). Most nodes have a mix of land use that focuses on services, commercial, retail and industrial, mixed with medium- to higher-density residential. Nodes are located at points of maximum accessibility, exposure, convenience and urban opportunity. The roles and functions of nodes are differentiated in terms of scale (metropolitan, district and local). Some nodes are in the process of being developed.
Metropolitan nodes Map 5d	The City has five metropolitan nodes, namely: Cape Town CBD; Bellville CBD; Philippi node and broader Philippi opportunity area; Helderberg; and Wynberg/Claremont.

Table A4: Spatial strategy 3: Substrategies, policy guidelines (strategic and implementation intent)

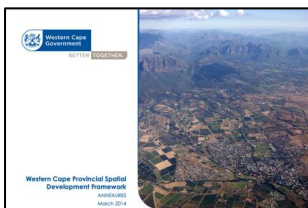
SPATIAL STRATEGY 3: BUILDING AN INCLUSIVE, INTEGRATED, VIBRANT AND HEALTHY CITY	
Substrategy 3.1: Encourage integrated settlement patterns.	
Policy 23: Support the integrated intensification and diversification of land uses in identified areas, supportive of inward spatial growth, economically and incrementally.	
Strategic intent	P23.1 Support integrated land uses and higher-density residential development in targeted new development areas (NDAs) and development focus areas (DFAs) identified in the DSDFs. P23.2 Ensure urban growth towards a more integrated and accessible city by supporting appropriate urban development and land use intensification within the urban inner core and incremental growth areas. Decision making that considers inward, contextually appropriate, transit-supportive land use intensification as guided by the differentiated intensification guidelines (table 5.6). P23.3 Encourage and support inclusive economic growth and appropriate intensification of industrial and commercial activities within the hierarchy of nodes identified in the MSDF and DSDFs. P23.4 Support incremental land use intensification provided by the Municipal Planning By-law to secure a second and third dwelling unit per single residential zoning 1: conventional housing (SR1). Zoned erven including development of small-scale rental units (micro-developments, backyard dwellings/additional informal dwellings) as an additional use within the single residential zoning 2: incremental housing (SR2), based on the availability of bulk infrastructure capacity. • These unit plans must adhere to the City's menu of prototypical building plans (to be developed) and approved in terms of the National Building Regulations • See sections 25A and 25B respectively of the MPBL
Implementation intent	P23.5 Prioritise implementation of bulk engineering programmes to support the proposed and planned higher-density residential development in targeted new development areas (NDAs) and development focus areas (DFAs). • Utilise the spatial transformation areas (STAs) as the primary spatial targeted mechanism of the spatial prioritisation framework, informing budget allocations to secure the requisite infrastructure for infill and intensification initiatives. P23.6 Maximise the potential and diversity of use of publicly owned land identified in the underdeveloped and partially developed land inventory (UPDLI), and at scale via the Catalytic Land Development Programme (CLDP).

SPATIAL STRATEGY 1: PLAN FOR INCLUSIVE ECONOMIC GROWTH AND IMPROVE ACCESS TO ECONOMIC OPPORTUNITIES	
Substrategy 1.2: Integrate land use, economic activities and transport planning that support the sustainable operation of the public transport network	
Policy 9: Plan for the incremental land use intensification and diversification in support of inward growth predicated on the public transport infrastructure as outlined in table 5.6 – differentiated intensification guidelines.	
Strategic intent	P9.1 Plan for phasing of contextually appropriate land use diversification and intensification along development corridors and nodes, and informed, prioritised and phased bulk engineering infrastructure provision. P9.2 Where the intensity of development along transport routes conflicts with access requirements of the class of road, road access management plans will be required. P9.3 Plan for value creation in the phased planning of land developments to generate sustainable revenue and ensure sustainable operations and service delivery. P9.4 Plan for the proactive enhancement of development rights in station precincts that are subject to visual impact (heritage or scenic areas) and the impacts of predicted sea level rise.
Implementation intent	P9.5 Ensure aligned prioritisation, programming and implementation of bulk engineering infrastructure to support inward growth and appropriate land uses along transit corridors. P9.6 Support efforts of regional retail centres to diversify their land use offerings to more sustainable mixed-use precincts.”

Conclusion:

The City of Cape Town Municipal Spatial Development Framework, 2023 supports transport orientated development, land use intensification as well as densification in the vicinity of the application area. The application proposal is therefore consistent with the City of Cape Town Municipal Spatial Development Framework, 2023.

(iv) Western Cape Provincial Spatial Development Framework, 2014



The PSDF is an important spatial planning and land use management tool that graphically portrays the Western Cape’s spatial agenda. It coordinates, integrates and aligns Provincial plans and development strategies with policies of National Government; the plans, policies and development strategies of Provincial Departments; and the plans, policies and development strategies of municipalities. Therefore the following needs to be taken into consideration.

“2.5. TOWARDS A NEW APPROACH

Lessons learnt from the UN-Habitat’s experience in supporting governments pursue spatial transformation reveals that:

ii. Spatial planning needs to be linked with transport and infrastructure investment programmes.

iii. Mixed-use and compact settlements are correlated with:

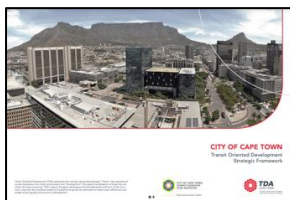
- competitiveness (through agglomeration economies);
- social inclusion;
- quality of life (i.e. liveability and access to amenities);
- efficient delivery of affordable services; and
- resilience to environmental hazards and human safety.

PSDF THEME	FROM	TO
RESOURCES	<i>Mainly curative interventions</i>	<i>More preventative interventions</i>
	<i>Resource consumptive living</i>	<i>Sustainable living technologies</i>
	<i>Reactive protection of natural, scenic and agricultural resources</i>	<i>Proactive management of resources as social, economic and environmental assets</i>
SPACE-ECONOMY	Fragmented planning and management of economic infrastructure	Spatially aligned infrastructure planning, prioritisation and investment
	Limited economic opportunities	Variety of livelihood and income opportunities
	Unbalanced rural and urban space economies	Balanced urban and rural space economies built around green and information technologies
SETTLEMENT	Suburban approaches to settlement	Urban approaches to settlement
	Emphasis on 'greenfields' development and low density sprawl	Emphasis on 'brownfields' development
	Low density sprawl	Increased densities in appropriate locations aligned with resources and space-economy
	Segregated land use activities	Integration of complementary land uses
	Car dependent neighbourhoods and private mobility focus	Public transport orientation and walkable neighbourhoods
	Poor quality public spaces	High quality public spaces
	Fragmented, isolated and inefficient community facilities	Integrated, clustered and well-located community facilities
	Focus on private property rights and developer led growth	Balancing private and public property rights and increased public direction on growth
	Exclusionary land markets and top-down delivery	Inclusionary land markets and partnerships with beneficiaries in delivery
	Limited tenure options and standardised housing types	Diverse tenure options and wider range of housing typologies
	Delivering finished houses through large contracts and public finance and with standard levels of service	Progressive housing improvements and incremental development through public, private and community finance with differentiated levels of service

Conclusion:

The Western Cape Provincial Spatial Development Framework, 2014 supports densification and public transport orientated development. The application proposal is consistent with the Western Cape Provincial Spatial Development Framework, 2014.

(v) City of Cape Town Transit Oriented Development Strategic Framework



Transit Oriented Development (TOD) represents the intricate relationship between “Transit” (the operational/ access imperative of an urban environment) and “Development” (the spatial manifestation of those that are within the urban economy). TOD is about changing, developing and stimulating the built form of the city in such a way that the movement patterns of people and goods are optimised to create urban efficiencies and enable social equality and economic development.

“Cape Town’s urban form and structure is characterised by dispersed development patterns and inequitable access for many of its users. In part, this can be attributed to segregated apartheid planning, but more recently has become a trend exacerbated by socio-economic reality. Population and residential densities in many of the formally developed areas of the city remain extremely low by international standards and access is further constrained by mountain and sea. This has led to the development of poorer residential communities in locations

far away from employment and opportunities, making the cost of providing and using a high quality public transport unsustainable (for the City and households).

The Cape Town City Council in its unanimous approval of the Integrated Public Transport Network (IPTN) Plan in 2014, ref C59/06/14, took the decision to investigate a TOD approach to addressing urban inefficiencies in Cape Town through the development of a Transit Oriented Development Comprehensive land use scenario and to use the IPTN Plan as a “guideline for the alignment of all City plans and projects for community development along the identified corridors”. The intent of the TOD Strategic Framework is to establish an implementation plan for TOD to be adopted by the City both politically and administratively.

There are multiple theoretical descriptions of Transit Oriented Development in planning literature; most often it is used to describe an approach to development that responds to an integrated, hierarchical public transport network in relation to its intensity and density. “Transit Oriented Development (TOD) is a term which encapsulates the process of focussing the development of housing, employment, activity sites and public services around existing or new railway stations served by frequent, high quality and efficient intra-urban rail services (Cervero, 1998; Curtis et al., 2009). TOD is designed to create a relatively high density, compact and mixed urban form (Loo et al., 2010). In the United States, TOD is now a very important part of a broader smart growth approach to urban development including new urbanism, urban infill, urban growth boundaries, historic preservation, affordable housing and inclusionary zoning (Goetz, 2012).” (Knowles, R.D, Journal for Transport Geography 22, 2012). The concept of TOD, which focuses on the symbiotic relationship between urban development and transport, is used internationally to varying degrees from the Americas, to Europe and Asia to create more liveable cities and make use of the Land Value Capture, primarily associated with main public transport lines.

The vision for Transit Oriented Development for Cape Town is: To progressively move toward a compact, well connected, efficient, resilient urban form and movement system that is conducive to economic and social efficiency and equality whilst providing cost effective access and mobility, with the least possible negative impact on the environment.

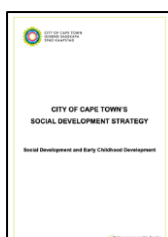
The objectives of TOD in Cape Town are defined as follows:

- 1) Maximise “location efficiency” so that people can walk, cycle and use public transport. This can be achieved through a comprehensive approach to land use density, mix and intensity, as well as a focus on prioritised public transport at a metro, corridor, nodal and precinct scale.*
- 2) Boost ridership and minimise congestion thereby ensuring that the public transport system becomes more viable.*
- 3) Provide a rich mix of housing, shopping, recreational and transportation choices.*
- 4) Enable cost and operational efficiencies in the provision and design of urban infrastructure.*
- 5) Drive down the cost of the User Access Priority for both new and existing residents.*
- 6) Create a sense of place.”*

Conclusion:

This proposal contributes to the City of Cape Town’s vision of a compact, well connected and efficient City by providing housing within different transport modes and is subsequently consistent with the City of Cape Town Transit Oriented Development Strategic Framework

(vi) City Of Cape Town Social Development Strategy



The Social Development Strategy (SDS) articulates the role of the City of Cape Town in promoting and maximising social development. This strategy sets out what the City is doing, plans to do and articulates where external stakeholders, such as contracted service providers and organisations receiving City grants, shall contribute. The SDS recognises that certain communities may require different levels of assistance in achieving their potential and hence it is decidedly pro-poor and based on promoting an inclusive City.

In order to maintain an outcome-driven approach, and prevent a “silo effect” from developing, the SDS is structured around five broad high-level objectives. These are:

1. Maximise income generating opportunities for people who are excluded or at risk of exclusion
2. Build and promote safe households and communities
3. Support the most vulnerable through enhancing access to infrastructure and services
4. Promote and foster social integration
5. Mobilise resources for social development

“CHAPTER 1: MAXIMISE INCOME GENERATING OPPORTUNITIES FOR THOSE WHO ARE EXCLUDED OR AT RISK OF EXCLUSION

“CHAPTER 4: PROMOTE AND FOSTER SOCIAL INCLUSION

4.1 Address spatial segregation through transport and planning

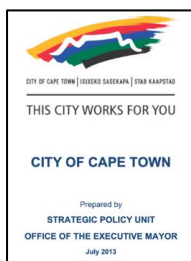
The City is mandated to provide municipal public transport. An effective public transport system that services low-income areas acts to address spatial segregation, promote an inclusive city and reduce the social burden of transport time and costs. The Cape Town Integrated Transport Plan identifies current and future access needs and the interventions required to create an integrated public transport network across the City. Strategy 3 of Chapter 2 of the EGS speaks to expanding public transport and consolidating the integration of transportation modes in order to improve residents' quality of life and improve competitiveness and productivity. This is articulated in the Transport, Roads and Storm Water (TRS) Directorate's 'Vision of One' integrated transport system. TEMS will also investigate reduced fares for certain vulnerable groups and people registered as indigents.

Another means to promote spatial integration is through urban planning. The Cape Town Spatial Development Framework guides the spatial form and structure of Cape Town. This framework is firmly committed to a developmental approach. This is particularly apparent in Strategy 1 'Plan for employment, and improve access to economic opportunities' and Strategy 3 'Build an inclusive, integrated vibrant city'. The framework includes land use intensification so that a mix of land uses is concentrated in accessible, high-opportunity locations. This is reinforced by the City's densification strategy that promotes the identification of public and private land to use for property development and the optimal and sustainable use of land through densification in transport corridors and economic nodes. In addition, new settlements design which include provision for various types of housing such as middle income and subsidy housing, promote a more inclusionary housing model. Together, these facilitate the creation of affordable housing opportunities in well-located areas of the City.”

Conclusion:

The City Of Cape Town Social Development Strategy supports public transport orientated development in order to promote accessible opportunities. The development proposal is consistent with the City Of Cape Town Social Development Strategy.

(vii) City of Cape Town Economic Growth Strategy 2013



The principal objective of the Economic Growth Strategy (EGS) is to grow the economy and create jobs - the overarching objective of the Opportunity City.

The EGS outlines how City shall respond to the challenges and opportunities these bring, and crucially, identifies what the City needs to do to in order to maximise benefits for the people of Cape Town. Based on the latest research on globally competitive cities, the EGS is structured around five strategic areas.

1. Building a globally competitive city through institutional and regulatory changes
2. Providing the right basic service, transport and ICT infrastructure
3. Utilising work and skills programmes to promote growth that is inclusive
4. Leveraging trade and sector development functions to maximum advantage
5. Ensuring that growth is environmentally sustainable in the long-term

Subsequent to the above, the following were considered relevant to this application for flats:

"2. INFRASTRUCTURE FOR GROWTH

Strategy 3: Expand public transport and consolidate integration process.

The relatively low-density character of Cape Town's spatial form and the legacy of apartheid-era planning means that many people are separated from the city's economic hubs as a consequence of distance, cost and time (see table above). Meanwhile, wealthier residents using private cars increasingly experience high levels of congestion and lengthy commuting times.

Both of these set of challenges negatively impacts on residents' quality of life and reduces competitiveness and productivity in the city economy. Indeed, Cape Town's transport system has been noted as the single most frequently criticised component of the city's infrastructure on account of unsafe, unreliable and poor-quality train and mini-bus taxi services."

Conclusion:

The application proposal is for business on the ground and first floor, thus creating jobs. The proposal further includes public transport orientated housing which allows for more people to live in a place that has access to employment opportunities, thus the application proposal is consistent with the City of Cape Town Economic Growth Strategy 2013.

(viii) Cape Town Densification Policy, 2012



"Rapid and continuous low-density development is threatening the long-term sustainability of Cape Town, and has created the following challenges:

- a. Urban sprawl has created long travel distances with fragmented and dispersed urban activity patterns, which make it difficult to develop a viable public transport system. This has a negative impact on the mobility of poorer people, who are dependent on public transport (travel and fuel costs), and is unsustainable in an oil-constrained world.*
- b. Road-based transport (including private transport) with increased traffic congestion and carbon dioxide (CO₂) emissions has significant environmental pollution consequences.*
- c. The place-making qualities and urban vibrancy of neighbourhoods, districts and the city as a whole are being threatened.*
- d. Good agricultural land on the urban edge and elsewhere is rapidly being consumed by urban development, and valuable biodiversity resources and areas of scenic and amenity value are being threatened.*
- e. The unit cost of providing the necessary infrastructure required to service low-density forms of urban development is far greater than the unit and operating cost of servicing medium to higher-density forms of urban development.*
- f. Lastly, the inefficiency caused by this fragmented and low-density form of development has serious economic implications, limiting access to opportunities and causing operational inefficiencies and a wastage of supporting economic resources (both natural and built).*

Subsequently densification is viewed as a necessary step to promote the longer-term sustainability of Cape Town's valuable natural, urban and rural environments. Therefore the following has been seen relevant to this application:

2.3 Motivation for densification

Densification can contribute to the creation of good-quality, efficient and sustainable urban environments in a number of ways, including the following:

- Densification reduces the consumption of valuable/non-renewable resources.*

By encouraging development upwards rather than outwards, densification helps reduce the consumption of valuable resources such as agricultural land, areas of mineral potential, aquifer recharge areas and valuable biodiversity areas. It can also reduce the consumption of non-renewable fuels by lessening car dependence.

- **Densification supports the development of a viable public transport system**
Higher densities, accompanied by increased population thresholds and mixed-use development, support the efficient functioning and viable provision of public transport services, especially on major line-haul routes for mass and rapid transit.
- **Densification makes the city more equitable**
Higher densities in appropriate locations, especially those close to urban opportunities (services, facilities, jobs) and public transport, help rationalise the housing pattern in the city, and improve access to the city's amenities and facilities. They help reduce travel distances and times, as well as the associated costs.
- **Densification facilitates economic opportunities and supports service provision**
Higher densities, accompanied by increased population thresholds, create sufficient consumers to generate the development of economic opportunities, social facilities and services, and enable the cost-effective provision and optimal use of infrastructure, especially where there is excess service capacity or where increased thresholds are required to provide services and infrastructure.
- **Densification improves housing patterns and choice of house type**
A mix of residential densities ensures diversification and choice of housing types and tenure options.
- **Densification contributes to urban place-making and improves safety**
Appropriately designed and located higher densities (in terms of form, scale, height, orientation) can provide an opportunity for place-making and the creation of attractive and safe urban environments, particularly those in proximity to public spaces (both natural and built).

Higher densities are not a guarantee of quality urban environments, appropriate built form or good urban design. However, the extremes of either very high or low densities often result in negative urban environments. Appropriate regulations, local development policies and urban design policies can be used to help prevent negative built environments."

5. THE ASSESSMENT OF APPLICATIONS

5.1 Generic considerations for densification

Table 4: Generic considerations for densifications

LEVEL OF DENSIFICATION	CONSIDERATION
Medium to high levels of densification	Access to public transport system (existing or planned) Medium to high levels of densification should be aligned with existing/proposed public transport routes. This is essential for housing development targeted at lower-income earners, who are unable to afford the costs of private transport. It should not be an overriding consideration for middle and upper-income townhouse/group housing developments, as the residents are likely to make greater use of private transport. Land use integration Preferably medium to high levels of densification should be located near places of employment, social services and community facilities. Access and proximity to public open spaces Medium to high-density development should have access to urban open spaces (such as squares and promenades), recreational green spaces (parks and sports fields) and/or natural open space (nature reserves, beaches) to provide physical and psychological relief from higher-density living environments.

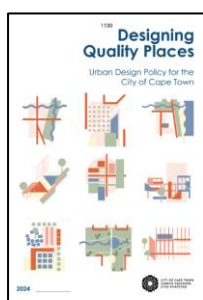
5.2 Spatial location criteria and density parameters

SPATIAL LOCATION CRITERIA AND DENSITY PARAMETERS			
Targeted Areas	Description of the Spatial Area/ Structure	Targeted Locations/ Areas	Density Guideline at the locations
Spatial Structuring Elements			
Development Route	Major citywide or district movement routes, including linehaul public transport or IRT. Mixed land uses and higher density development tend to be nodal, with access provided at intersections, and generally linked to parallel and connecting side routes. Development routes may include short stretches of 'activity route' -type development	Particularly near points of direct access, transport intersections and interchanges, places of intense mixed-use and nodal activity ('activity route' character) and next to or part of commercial complexes	75-175 du/ha (net) 3-7 storeys
Metropolitan & sub-metropolitan urban nodes	Urban nodes characterised by a very high/high intensity, mix and clustering of urban activities or land use at points of very high/high accessibility, exposure, convenience and urban opportunity Examples: Cape Town, Bellville and Claremont/Wynberg CBDs, Mitchells Plain town centre and Century City	Generally within and abutting the defined node or central business district area. Particularly in the vicinity of public transport routes, interchanges and stations, near civic precincts, public open space and where there is a diverse, concentrated mix of land uses, activities and services	100-375 du/ha (net) Four to 15 storeys

Conclusion

The application area is within a Development Route area as well as a metropolitan urban node which allows up to 375 dwelling units per hectare. The proposed density is 191 dwelling units per hectare which is consistent with the Cape Town Densification Policy, 2012.

(ix) City of Cape Town's Designing Quality Places: Urban Design Policy, 2024



The Policy is intended to provide guidance for all city making initiatives and all applications. The Policy triggers are designed in such a way to facilitate ease of doing business, while ensuring the best possible outcomes for the public realm, in the most strategic locations and conditions.

“The quality of our cities, towns, neighbourhoods, streets and public places have an important influence on our daily lives. The quality of these places contributes to our economy, our natural and built environments, their sustainability and the overall liveability and safety of our cities. This helps business grow, promotes quality of life and influences our physical and mental health and well-being. It is through the application of design that the qualities of these environments are transformed, given purpose, become relevant, and have meaning.

The Urban Design Policy, 2024 provides guidelines for the planning and evaluation of development proposals. The following extracts are considered most applicable to the development proposal. The following are applicable:

“OBJECTIVE 1 Ensure legible spatial structure

PS 1.2 Proposals should demonstrate how a development responds and contributes positively to its surrounding context and neighbourhood scale.

PS 1.3 Address spatial, economic and social segregation and ensure that integration and inclusivity is achieved or improved through development. Development proposals should avoid creating or reinforcing spatial barriers.

PS 1.4 When laying out large scale developments ensure that nodal development is located along higher order routes in order to reinforce the spatial structure.

PS 1.5 Ensure that public facilities and amenities are clustered together in a node and are easily accessible.

PS 1.9 When starting a design process, consider how a proposal contributes to and enhances the imageability of the city, as perceived by the public, at varying scales.

OBJECTIVE 3 Contribute to the creation of healthy and safe communities

PS 3.1 Increase passive surveillance and safety in the public realm by optimising visual connections and ensuring adequate lighting. This will contribute to the reduction of vandalism, and anti-social and violent activities.

OBJECTIVE 4 Design streets as positive public space

PS 4.1 Aim to create people-centric streets that offer positive experiences for all users, as opposed to streets being dominated by private vehicles.

OBJECTIVE 5 Promote intensity, diversity and adaptability of uses

PS 5.1 Cluster complementary uses to encourage diverse activity. Consider the relationships between the different uses and the way they can support one another.

PS 5.2 Provide sufficient quality facilities and amenity value to accommodate the anticipated population density.

PS 5.3 Place nodes of activity so that they are easily accessible. Consider the receiving context and neighbourhood.

PS 5.4 Consider the needs of current and future users, neighbours and the surrounding community throughout the design process.

PS 5.10 Design and manage spaces to encourage a diverse mix of uses, users, and activity, over an extended period of time. This seeks to create buildings and places that are active for a longer period during the day and night, where deemed appropriate.

OBJECTIVE 6 Ensure positive interfaces onto the public realm.

PS 6.1 Locate buildings so that they have a positive relationship and interface with the public realm (street or open space). This can be achieved through active uses, greening and overlooking features.

PS 6.2 Consider the proposed development's relationship to the existing adjacent building and surrounding interfaces, setbacks and streetscape.

PS 6.3 Developments should be wrapped with active uses that front onto the public realm, to ensure a positive interface.

PS 6.4 Design the interfaces of buildings with as many overlooking features onto the public realm as possible. Ensure appropriate glazing and fenestration that allows for a direct visual connection.

S 6.5 Consider the transition from the public to the private realm. Use devices such as stoeps, canopies, awnings, colonnades and landscaping to assist with achieving visual permeability and privacy.

PS 6.6 Blank façades and structured parking fronting onto the street or public realm should be avoided especially on the first two levels or storeys of the building. This is measured from street level, or the existing ground level, when adjacent to the public realm.

PS 6.7 Boundary' treatment facing onto the public realm (walls, fences and vegetation) are an interface. As a result, they should be visually permeable and have a positive relationship with the public realm.

PS 6.8 Interfaces of buildings should be designed to maximise the comfort of pedestrians. Design informants that should be considered include passive surveillance, activation, pedestrian scale of the built form and weather protection.

PS 6.10 Ensure sufficient lighting along building interfaces for security and wayfinding.

OBJECTIVE 9 Respond to the character and identity of an area

PS 9.1 Identify the character of the immediate and surrounding context, including built form, streetscape characteristics, setting and natural features, which should inform the design response.

PS 9.2 Consider the city's structural hierarchy, existing built form and landscape patterns, and how a proposal responds to these informants. Consider a site's role in its context. Express a clear organisational concept for development proposals.

PS 9.3 Development proposals should respond appropriately to their context and take into account the orientation and siting of buildings, interface, scale, massing, urban grain, and rhythm, as well as architectural articulation and typical design elements of the receiving context.

PS 9.4 Respect heritage resources and cultural landscapes of the city. Consider the visual impact of development. Design buildings and open spaces that respect cultural and heritage resources and environments, cultural landscape, natural features, view corridors and landmarks.

PS 9.5 In existing fine-grained urban, residential and mixed-use environments, avoid inappropriate subdivisions or consolidations, which will result in a built form that is out of keeping with the existing pattern and receiving context.

PS 9.6 Development proposals should be designed in a way that respects intangible cultural heritage and acknowledges memory, the social history of a place, important spatial relationships and everyday cultural practices of any affected community."

The proposal supports inclusive, sustainable urban growth by adding a semi-transparent boundary wall, new vegetation to expand the tree canopy, and improved walkways that maintain existing traffic and drainage patterns. It strengthens the residential fabric with more housing, enhances safety through clear visibility, and creates a smooth transition between public areas and parking to reduce environmental impacts. The application proposal is considered consistent with the Designing Quality Places: Urban Design Policy, 2024.

(ii) Spatial Planning and Land Use Management Act, 2013

The following development principles, namely spatial justice, spatial sustainability, efficiency, spatial resilience & good administration prescribed for the analysis of the development proposal are defined here below:

"Development principles

7. The following principles apply to spatial planning, land development and land use management:

(a) The principle of spatial justice, whereby—

- (i) past spatial and other development imbalances must be redressed through improved access to and use of land;**
- (ii) spatial development frameworks and policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation;**
- (iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons;**
- (iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas;**
- (v) land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and**
- (vi) a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application;**

- (b) *the principle of spatial sustainability, whereby spatial planning and land use management systems must—*
 - (i) *promote land development that is within the fiscal, institutional and administrative means of the Republic;*
 - (ii) *ensure that special consideration is given to the protection of prime and unique agricultural land;*
 - (iii) *uphold consistency of land use measures in accordance with environmental management instruments;*
 - (iv) *promote and stimulate the effective and equitable functioning of land markets;*
 - (v) *consider all current and future costs to all parties for the provision of infrastructure and social services in land developments;*
 - (vi) *promote land development in locations that are sustainable and limit urban sprawl; and*
 - (vii) *result in communities that are viable;*
- (c) *the principle of efficiency, whereby—*
 - (i) *land development optimises the use of existing resources and infrastructure;*
 - (ii) *decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and*
 - (iii) *development application procedures are efficient and streamlined and timeframes are adhered to by all parties;*
- (d) *the principle of spatial resilience, whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks; and*
- (e) *the principle of good administration, whereby—*
 - (i) *all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;*
 - (ii) *all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;*
 - (iii) *the requirements of any law relating to land development and land use are met timeously;*
 - (iv) *the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and*
 - (v) *policies, legislation and procedures must be clearly set in order to inform and empower members of the public.”*

As motivated in Section 3.c of this motivational report, the application is considered consistent with the SPLUMA planning principles.

i) Land Use Planning Act, 2014

The Land Use Planning Act, 2014 allows for municipal applications for departures as confirmed in the said act extract here below:

“35. Rezoning, departures or consent uses

- (1) *A competent person who requires a rezoning, departure or consent use in respect of land must apply to the municipality.*
- (3) *When a municipality approves a land use application for a rezoning, departure or consent use, the municipality must consider imposing a validity period for the approval.”*

The required application processes are being followed. The application is consistent with the Land Use Planning Act, 2014.

Conclusion:

The application for a residential focused, transport orientated, mixed-use development is considered consistent with the relevant policy documents.

9. Electrical Services Report

An electrical services report has been supplied by ICE Electrical Engineers which is summarised here below:

“Estimated supply required

The total estimated electrical load for the proposed Development is approximately 69.28 kVA – 100A. This estimated electrical load is based upon the fact that hot water power supply will be supplemented by means of heat pump units.

Supply availability

The City of Cape Town – Energy Generation & Distribution advised [on 10-06-2025] that capacity is available in their network for the area.

LV reticulation – [230V - 400V]

The LV Reticulation systems will comprise underground cabling only.

Energy conservation

It is intended to conserve energy and reduce the demand at peak periods by means of the following:

- *Lighting fittings shall be fitted with LED lamps*
- *Hot water generation by means of a heat pumps or solar panels”*

Refer to **Annexure K** for the electrical services report.

10. Civil Engineering Services

A Civil Engineering Services report has been compiled by BNC Engineering with the following summary:

“4.2 Water infrastructure

The existing water infrastructure surrounding the development area is shown in Annexure C. There is an existing 100mm diameter FC water main situated in Cleveland Street towards the west of the proposed development. There is also an existing fire hydrant on the corner of Cleveland Street and 3rd Avenue situated 15m from the site.

4.3 Sewer infrastructure

The existing sewer network surrounding the development area is shown in Annexure C. There are two existing 150mm diameter sewer mains adjacent to the proposed development. One is situated west of the development in Cleveland Street and the other is situated north of the development is 3rd Avenue.

4.4 Existing Stormwater Infrastructure

The existing site comprises of a single residential structure, paved areas, a swimming pool, grassed areas and some planter beds. The hardened area on the site comprises approximately 80% of the total area and runoff generated on the site currently drains in a northern direction towards an existing V-channel next to 3rd Avenue. From here it drains in an eastern direction via the existing stormwater channel next to 3rd Avenue.

There is also an existing stormwater catchpit situated on the north-western corner of the site on the corner of Cleveland Street and 3rd Avenue.

5.3 Internal Water Infrastructure

It is proposed that the existing 15mm water connection be upgraded to a new 50mm connection.

Total AADD = 5.64 kl/d

Moderate Risk 2 Total Fire Flow = 25 l/s @ 10m

The instantaneous peak flow is calculated as 25.235 l/s with an hourly peak factor of 3.6 and includes the 25 l/s fire flow for moderate risk 2 during peak scenarios.

5.4 Internal Sewer Infrastructure

It is proposed that the sewerage generated by the new proposed development be accommodated in a Ø160mm uPVC Class 34 conventional gravity water borne sewer system that connects to the existing 150mm sewer main situated in 3rd Avenue north of the development site. A new sewer manhole will be constructed where the new and existing pipes join.

The proposed subdivision's IPDWF was calculated as follows:

IPDWF including infiltration 11.049 kl/d or 0.128 l/s

5.5 Stormwater Infrastructure

It is proposed that the runoff generated by the new development be channelled towards a new grid inlet structure to be situated on the northern side on the development. The stormwater runoff collected in this structure will then be piped via a 375mm concrete stormwater pipe to the existing stormwater catchpit situated next to the development on the corner of Cleveland and 3rd Avenue.

In the event that the minor, piped system fails it is proposed that an overland escape route be provided to channel stormwater runoff in a north-eastern direction towards the main entrance of the development from where it will be discharged into the existing V-channel next to 3rd Avenue.

*Refer to **Annexure J** for the civil services report."*

An updated services report will be provided as soon as service capacity has been confirmed by the City of Cape Town.

11. Transport Impact Assessment

A traffic impact assessment was compiled by the traffic engineer Liezl Stodart and the following conclusions and recommendations were made:

"12. CONCLUSIONS

The proposed residential development on Erf 10133, Boston, will have a negligible traffic impact. Other findings of the assessment are summarised below.

- The development will consist of a parking area, storage room, caretaker's unit and refuse room on the ground floor. The first and second floor will house 16 apartments;*
- The site is bordered by Third Avenue in the north and Cleveland Street in the west;*
- No significant road upgrades are planned in the vicinity of the site;*
- The development has the potential to generate 11 trips (3 in, 8 out) during the morning peak hour and 11 trips (8 in, 3 out) during the afternoon peak hour;*
- The site is located in a PT2 zone and no on-site parking bays are required. The developer, however, proposes the provision of 17 parking bays on the ground floor;*
- Access to the development is proposed off Third Avenue at a position approximately 15,4 metres from the Cleveland Street road reserve. The access will be 5,5 metres wide;*
- A sliding gate will be installed at the site access approximately 6,3 metres from the road kerb. This will allow sufficient stacking distance;*
- An embayment for refuse vehicles should not be necessary, but two possible locations for refuse embayments were investigated in the case that the municipality requires one;*
- The development is located in close proximity to minibus taxi routes, Golden Arrow bus routes and the Bellville Metrorail station;*
- There are existing paved sidewalks along both Third Avenue and Cleveland Street.*

13. RECOMMENDATIONS

The recommendations made in the assessment are summarised below.

- The security gate at the entrance should allow stacking for at least one vehicle;
- No refuse embayment should be constructed for the development;
- No additional public transport or non-motorised transport facilities should be constructed for the development;
- The application for rezoning of Erf 10133 should be supported due to the negligible impact of additional trips generated."

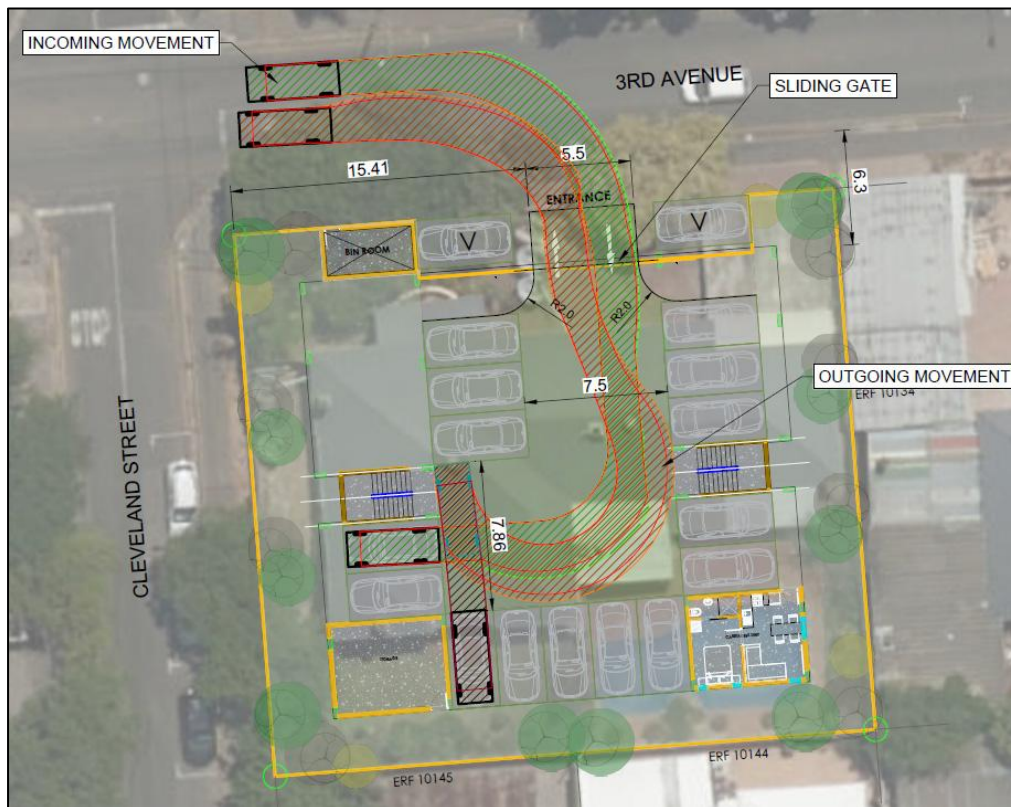


Figure 8: Parking Circulation Plan extract

Refer to **Annexure K** for the Traffic Impact Assessment.

12. Heritage

A part of the existing dwelling is at least 86 old. It is however not identified as a heritage property in terms of the City of Cape Town Heritage Inventory. The application area is also not within a Heritage Overlay Zone.

13. Proposal

The proposal includes the demolition of the existing building and the construction of a three storey building with 17 flats.

The proposed building is consist of the following uses per floor:

Ground Floor:

- 17 parking bays
- A caretaker's flat
- Storage area and a bin room

First and Second Floor:

- Eight (8) flats per floor totalling 16 flats

Since the existing zoning is Single Residential 1: Conventional Housing which does not allow for flats, application includes a rezoning to General Residential 2.

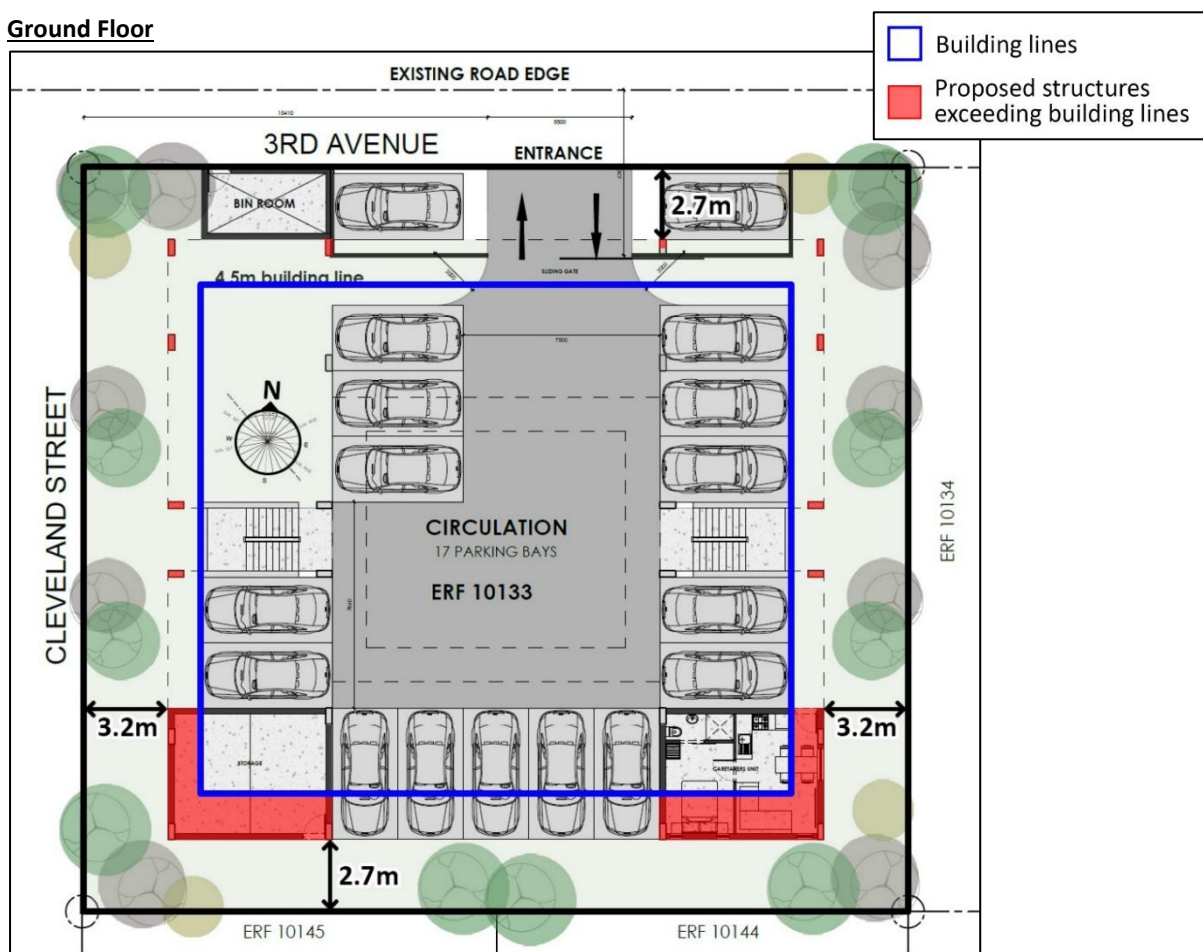
The proposed building exceeds the building lines as well as the allowed floor factor. Subsequently application includes departures.

Application is therefore made for:

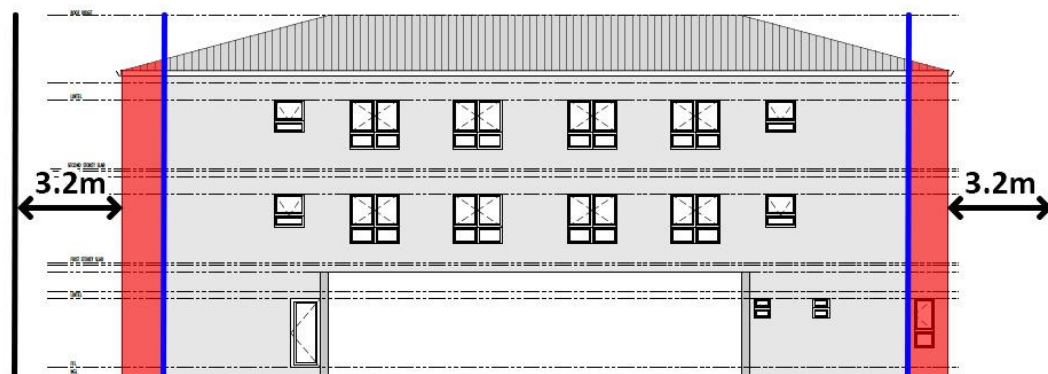
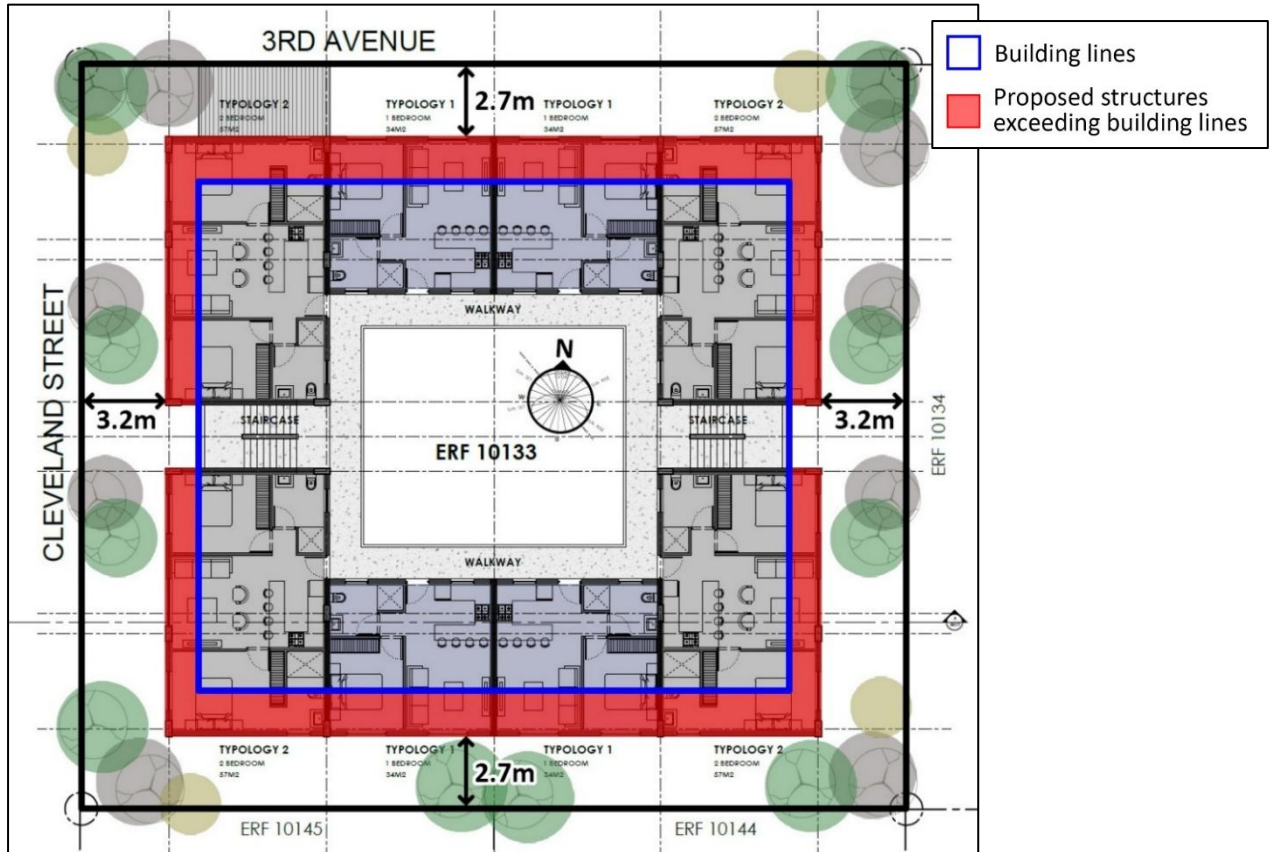
- Rezoning from Single Residential 1: Conventional Housing to General Residential Subzoning 2.
- A departure to relax the northern street building line from 6.54m to 2.7m.
- A departure to relax the western street building line from 6.54m to 3.2m.
- A departure to relax the southern side building line from 6.54m to 2.7m.
- A departure to relax the eastern side building line from 6.54m to 3.2m.
- A departure to relax the maximum allowed floor factor from 1 to 1.02.

The application proposal is illustrated here-below:

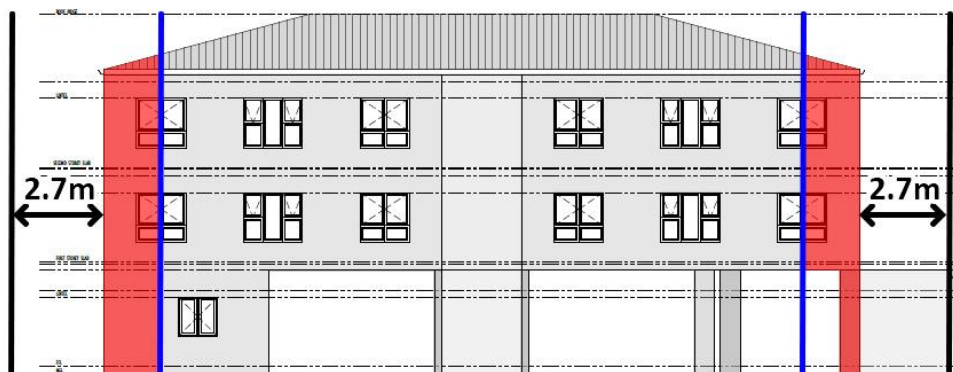
Ground Floor



First & Second Floors



SOUTH ELEVATION



EAST ELEVATION

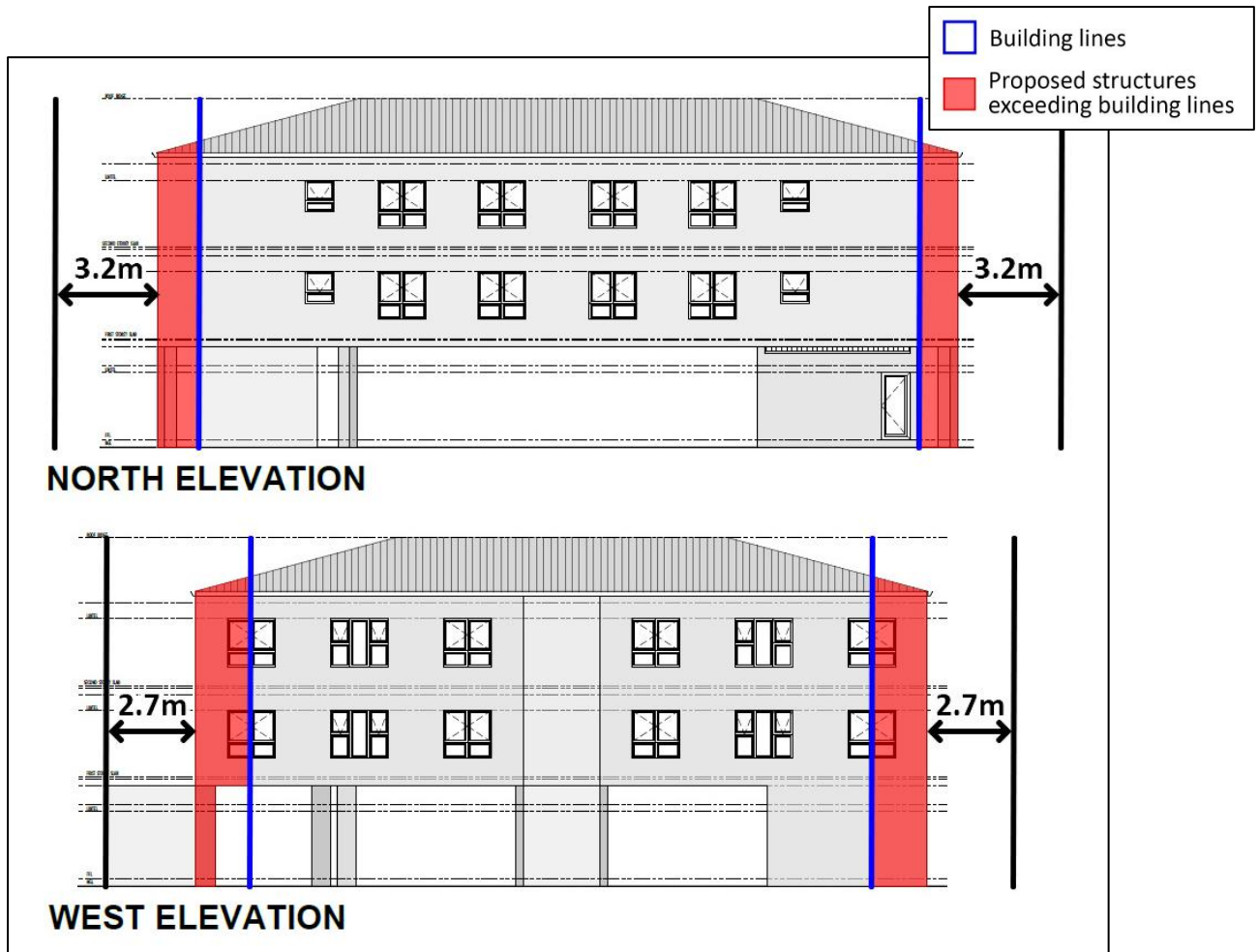


Figure 9: Building Plan illustrations

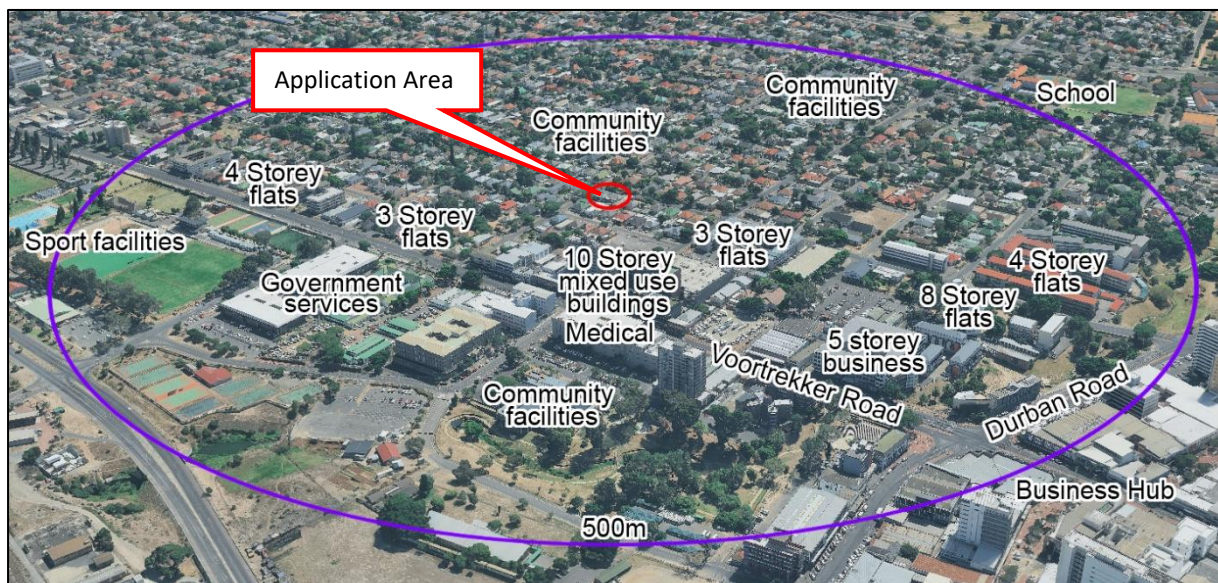
Refer to **Annexure H** for the proposed Building Plans.

Proximity to facilities

Within approximately 500m of the application area there are businesses and retail, community facilities, education facilities, medical facilities, sports facilities and government facilities.

The application area is also approximately 200m from Voortrekker Road which is a major transport corridor with regular public transport.

Within 200m of the application area there are up to 10 storey buildings as well.



Density

The proposed application area density is 191 dwelling units per hectare.

Densification in terms of the Cape Town Densification Policy, 2012 is targeted at up to 375 du/ ha (net) and 15 storeys within metropolitan urban nodes.

The proposed density is consistent with the Cape Town Densification Policy, 2012.

The application proposal density is significantly higher than the existing immediate surrounding properties, but is consistent with densities of the wider surrounding area as well as the proposed policy density for the area. Such densification is aimed at the future use of the area and contributes towards the vision of the City of Cape Town aligned with the different spatial policies.

Urban Design

In respect of the objectives listed in the Designing Quality Places: Urban Design Policy, 2024 – Our Proposal seeks to achieve the following:

- Implements a semi-transparent boundary wall to ensure integration and inclusivity of the public.
- Includes vegetation, thus enhancing the neighbourhoods tree canopy and cover without interrupting the existing drainage patterns.
- Strengthens the existing residential fabric, as well as, neighbourhood activity, and provides more residential accommodation.
- Promotes integrated and accessible urban development through clear entrances, structured circulation, and well-connected walkways that ensure safe and efficient movement while not interfering with the existing traffic flow and vehicular circulation along the surrounding streetscape.
- Enhances safety and stability through clear street visibility, while not altering the existing accessibility routes. No existing vegetation will be removed, only added, to reduce heat and pollution.
- Does not impact the existing streets, therefore, the pedestrian movement will remain the same and the way the public traverse will not be affected. The boundary wall transparency and trees introduces a transition between the public and ground floor parking in order to minimize negative environmental and visual factors.
- Enhances the neighbourhoods character by contributing to a more vibrant and active aesthetic by increasing residential presence.
- Brings about a safe residential living environment and promotes urban densification by optimizing land use and enhancing infrastructure efficiency.
- Ensures that the neighbourhood's green infrastructure network is continued by incorporating trees that enhance the existing ecological features of the neighbourhood, and reducing environmental impact.

Scale of the proposed development

The application area and surrounding erven are zoned Single Residential 1: Conventional Housing. The development proposal includes a rezoning to General Residential 2 to allow for the land use of flats. The development proposal will be compared to Single Residential 1: Conventional Housing zoning criteria below for the purposes of motivating compatibility with the surrounding area.

The proposed building height is consistent with what is allowable on the surrounding Single Residential 1: Conventional Housing properties, being 9m to the wall plate and 11m to the roof ridge.

The surrounding Single Residential 1: Conventional Housing properties have 3m common building lines which is similar to the proposed 2.7m and 3.2m building lines.

Single Residential 1: Conventional Housing has a floor area restriction of 1500m² and the proposal is for 1017m².

Subsequently the development proposal is consistent with the scale of buildings allowed on a Single Residential 1: Conventional Housing zoned properties, thus being consistent with the scale of buildings allowed in the immediate surrounding area.

The application area is also within 200m of a 10 storey building and many other large buildings, thus being consistent with the scale of the structures in the area.

Parking

Even though the application area is within a Public Transport Zone 2 area and no parking is required, practically the application proposal target market tends to have residents which will require parking. One parking bay per dwelling unit plus one additional bay shared parking is proposed.

Sun Study

The properties to the south of the application site are used for business premises. The proposed building scale is consistent with the scale of structures allowed in the area.

Sun and shadow simulations were done for the longest and shortest days of the year.

The sunset and sunrise times are as follows:

- 21 January Sunrise time: 6h00
- 21 January Sunset time: 19h55
- 21 June Sunrise time: 07h50
- 21 June Sunset time: 17h45

In summer, the proposed building does not notably impact the surrounding properties with overshadowing.

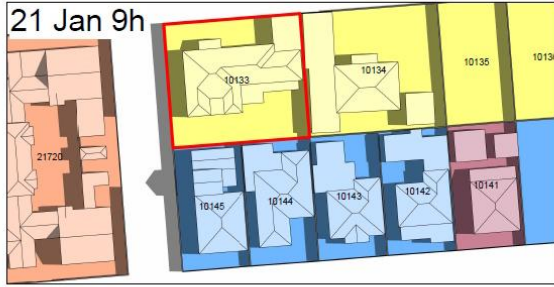
On the longest day in winter, the business building to the south are only overshadowed partly during daytime. The residential buildings to the west are only overshadowed partly for short periods during the early mornings. The back yard of the adjacent single residential property to the east is overshadowed by its own buildings approximately one hour from sunset, thus the additional overshadowing of the proposed development does not have a notable additional impact. No residential buildings are therefore notably affected by shadows.

Summer - Existing

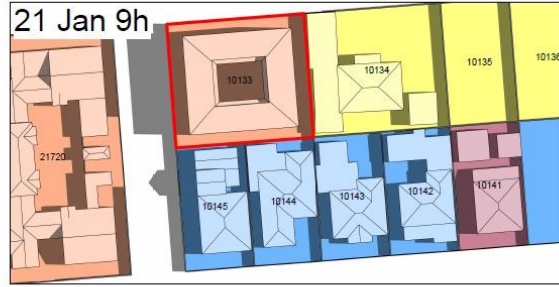
Sunrise: 6h00

Summer - Proposed

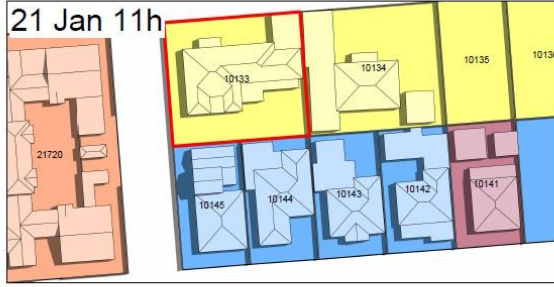
21 Jan 9h



21 Jan 9h



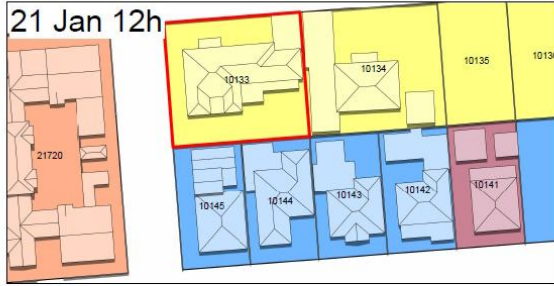
21 Jan 11h



21 Jan 11h



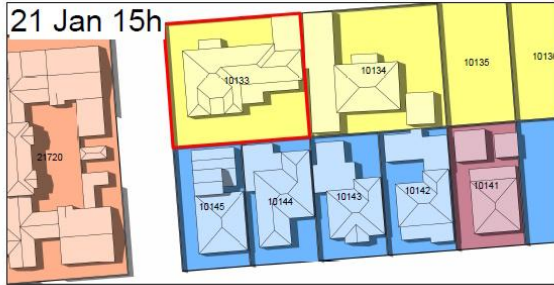
21 Jan 12h



21 Jan 12h



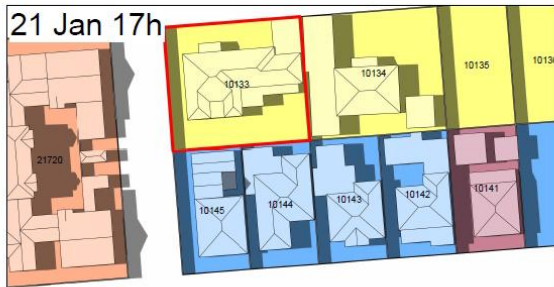
21 Jan 15h



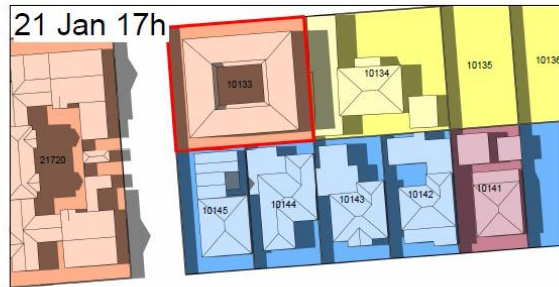
21 Jan 15h



21 Jan 17h



21 Jan 17h



Sunset: 19h55



Application Area



Single Residential



General Residential



Community Facilities



Business



Figure 10: Sun study extract

Rezoning

The application includes the rezoning of the application area from Single Residential 1: Conventional Housing to rezoning to General Residential 2.

The proposal is for flats on the application area and the existing zoning does not allow for flats, thus a rezoning to General Residential 2 is required to accommodate the proposal.

The property to the west of the application area is also zoned General Residential 2 as well as several other properties in close vicinity of the application area. The proposed zoning is therefore consistent with the existing zoning of the area.

The proposed building is a 3 storey building which is consistent with the scale of the buildings of the area where buildings of up to 10 storeys are presently represented.

The surrounding area also contains many general residential zoned buildings with flats and therefore the proposed land use is considered most consistent and appropriate with the land use and character of the area.

The proposal allows for densification which improves spatial efficiency and provides much needed housing opportunities in close proximity to a full range of facilities.

The development proposal is consistent with the relevant Municipal spatial planning documents

The rezoning of the application area is therefore considered desirable.

Building line departures

The application includes building line departures to relax the eastern and western building lines from 6.54m to 2.7m and the northern and southern building lines from 6.54m to 3.2m.

The application proposal is for flats. The application area is located on an erf of 892m² and zoned for General Residential 2 with 6.54m (10.9m height x 0.6) building lines resulting thereto that less than half of the property being able to be built upon. The proposed building line departures will allow for increased spatial efficiency and a more optimal use of the property.

The existing zoning allows for 3m common building lines and 3.5m street building lines. The properties to the north, east and south also have 3m common building lines and 3.5m street building lines. The proposed 2.7m and 3.2m building lines are therefore deviations of approximately 10% from the existing property and surrounding property zonings, thus not having a significant impact in terms of building boundary setbacks.

The properties to the north, east and south have 3.5m street building lines and either 3m or 0m side building lines depending on the property. The property to the west, accommodating a General Residential 2 zoned property, is built approximately 2.8m from the road and 1.5m from the common boundary. The properties to the east and south are built approximately 0.5m from the common boundary. The proposed 2.7m and 3.2m building lines are therefore considered compatible with the building lines and distances from the erf boundaries of the surrounding properties.

Building lines is one element impacting on scale of a building and height is another which must be balanced to achieve appropriate scale. The proposed building height is 9.2m on the sides, which is approximately 16% lower than the allowed 11m of the existing zoning. The proposed building line departures are approximately 10% deviations from the existing zoning building lines. The development proposal with associated building line departures will thus result in a building scale which is similar to the scale allowed in the existing zoning of the application area as well as surrounding properties.

The building line departures will thus not result in significantly more overshadowing or privacy loss than what is allowed in terms of the existing zoning.

The proposed building lines will not impact on access for civil or emergency services.

The proposed building line departures will allow for the optimal development of the application area, is considered appropriate for the scale of the building and is compatible with the building lines of the surrounding area and is therefore considered desirable.

Floor factor departure

Application includes a floor factor departure from 1 to 1.02.

The application area is within a development corridor in terms of the Tygerberg District Plan, 2023 which supports significantly higher densities and subsequently floor factors. The departure to relax the floor factor from 1 to 1.02 will allow additional densification and improve spatial efficiency and the optimal use of the property. The floor factor departure is therefore only 0.02 (3%), which will not impact on the character of the area.

Many of the properties in the area have significantly higher floor factors with buildings having three and four storeys and so forth, up to 10 storeys which will result in higher floor factors.

Single Residential 1: Conventional Housing which is both the existing zoning and zoning of surrounding properties has a floor area restriction of 1500m² and the proposal is for 1016m². The proposed floor area is thus consistent with what is allowed in terms of the existing zoning.

The proposed floor factor will optimise the functioning of the application area is considered consistent with the floor factors of the area and is therefore considered desirable.

a. Consistency with Section 99 of the Municipal Planning Bylaw, 2015

The following outline of the different stages in terms of consistency with Section 99 of the Municipal Planning Bylaw, 2015 is provided here-below:

Stage 1 consideration: Consistency with the Municipal Spatial Development Framework

The City of Cape Town Municipal Spatial Development Framework, 2023 supports transport orientated development and land use intensification including densification at the application area. The application proposal is consistent with the City of Cape Town Municipal Spatial Development Framework, 2023. Refer to Section 9.(ii) of this motivational report.

Stage 2 consideration: Consistency with any applicable spatial development framework

Western Cape Provincial Spatial Development Framework, 2014

The Western Cape Provincial Spatial Development Framework, 2014 supports densification and public transport orientated development. The application proposal is consistent with the Western Cape Provincial Spatial Development Framework, 2014. Refer to Section 9.(iii) of this motivational report.

Stage 2 consideration: Consistency with the relevant criteria contemplated in the Development Management Scheme

The application proposal is consistent with the proposed zoning in terms of the Develop Management Scheme with exception of building lines, thus this application includes building line departures. Refer to Section 8 of this motivational report.

Stage 2 consideration: Consistency with any applicable policy or strategy approved by the City to guide decision making, which includes the Social Development Strategy and the Economic Growth Strategy

Tygerberg District Plan, 2023

The Tygerberg District Plan, 2023 was screened for consistency with the application proposal. The Tygerberg District Plan, 2023 supports residential focused mixed land use intensification. The development proposal is consistent with the Tygerberg District Plan, 2023. Refer to Section 9.(i) of this motivational report.

City of Cape Town Social Development Strategy

The application is not for a social housing development. The development will however provide for additional housing closer to opportunities and facilities. The application proposal is consistent with the City of Cape Town Social Development Strategy.

City of Cape Town Economic Growth Strategy

The proposal is for flats. The application proposal will create short term construction work as well as increase densification, thus providing more customers to the businesses in the area. The proposal is consistent with the City of Cape Town Economic Growth Strategy.

Stage 2 consideration: Consistency with desirability of the proposed use or development of land as per the following subsections:

- **Socio-economic impact;**
The application proposal will provide additional housing close to employment, public transport and community facilities, thus having a positive social-economic impact.
- **Compatibility with surrounding uses;**
The surrounding area has a mix of single residential, general residential and business land uses. The proposal for a flats is which is consistent with the mixed-use character of the area.
- **Impact on the external engineering services;**
Additional services are applicable as the application proposal is for additional dwelling units.
- **Impact on safety, health and wellbeing of the surrounding community;**
The application proposal is for housing in close proximity to community facilities and public transport, thus improving accessibility and thus wellbeing of the residents. The application proposal will not impact on the surrounding community.
- **Impact on heritage;**
The application area is not identified as a heritage property in terms of the City of Cape Town Heritage Inventory. The application area is also not within a heritage overlay zone. The application area is however older than 60 years and therefore is classified as a classification C3 property.
- **Impact on the biophysical environment;**
The application proposal is for the redevelopment of an existing developed property and therefore the application proposal will not impact on the biophysical environment.
- **Traffic impacts, parking, access and other transport related considerations; and**
The application area is within a Public Transport 2 area and therefore 0 parking bays are required.
- **Whether the imposition of conditions can mitigate an adverse impact of the proposed use or development of land.**
No mitigation measures are considered necessary as the application proposal is considered compatible with the character of the area.

Stage 2 consideration: Impact on existing rights (other than the right to be protected against trade competition)

The application proposal is consistent with the character and land uses of the area and therefore the impact of the proposed dwelling amendments will be limited.

Stage 2 consideration: Other considerations prescribed in relevant national or provincial legislation, which includes the development principles as contained in section 7 of the Spatial Planning and Land Use Management Act, 2013

The application proposal is consistent with the Spatial Planning and Land Use Management Act, 2013. Refer to Section 9.(ix) of this motivational report.

Stage 2 consideration: Compliance with the requirements of the City of Cape Town: Municipal Planning Amendment By-Law

Application is made as per the relevant sections of the City of Cape Town: Municipal Planning By-Law as amended. The application is consistent with the said by-law.

b. Desirability of the proposal

- The application proposal will create additional public transport orientated housing within close proximity to employment and community facilities, improving access to opportunities and spatial efficiency.
- The application proposal is consistent with the character, scale and land uses of the general area.

c. Planning Principles

The application has also been analysed for consistency with the planning principles prescribed by the Spatial Planning and Land Use Management Act, 2013 (SPLUMA) and also the Western Cape Land Use Planning Act, 2014 (LUPA) and the following conclusions were made:

- (a) **Spatial Justice** which refers to the need for redressing the past apartheid spatial development imbalances and aim for equity in the provision of access opportunities, facilities, services and land.

Possible results of the development

The application proposal will create additional housing opportunities close to within close proximity to employment and community facilities which will be equitably be available.

- (b) **Spatial Sustainability** which refers to the fact that a spatially sustainable settlement will be one which has an equitable land market, while ensuring the protection of valuable agricultural land, environmentally sensitive and biodiversity rich areas, as well as scenic and cultural landscapes and ultimately limits urban sprawl.

Possible results of the development

The application area consists of an existing already developed property, thus no valuable agricultural land, environmentally sensitive and biodiversity rich areas, scenic or cultural landscapes are affected.

- (c) **Spatial Efficiency** which refers to the manner in which settlements themselves are designed to function in such a way that there will be a minimum need to travel long distances to access services, facilities and opportunities.

Possible results of the development

The application proposal includes densification, thus positively impacting on spatial efficiency.

- (d) **Spatial Resilience** which, in the context of land use planning, refers to spatial plans, policies and land use management systems which should enable communities to be able to resist, absorb and accommodate any economic and environmental shocks which might occur in a timely and efficient manner.

Possible results of the development

Housing opportunities closer to work opportunities and public transport will enable residents to better absorb economic shocks. The application proposal will not impact on environmental shocks.

- (e) **Good Administration** which, in the context of land use planning refers to the promotion of integrated, consultative planning practices in which all spheres of government and other role players ensure that a joint planning approach is pursued.

Possible results of the development

Consultive practices are being followed in this application as it is done in consultation with the Planning Department of the Municipality who will also advertised the application in such a manner as to enable the Government and the general public to participate in the eventual decision-making process.

14. Conclusion

The application as motivated in this report is regarded desirable within its local context and well-integrated within the existing community land-use activities. It is therefore recommended that this be approved as follows:

- Rezoning from Single Residential 1: Conventional Housing to General Residential Subzoning 2 in terms of Section 42(a) of the City of Cape Town Municipal Planning By-Law.
- A departure to relax the northern street building line from 6.54m to 2.7m in terms of Section 42(b) of the City of Cape Town Municipal Planning By-Law.
- A departure to relax the western street building line from 6.54m to 3.2m in terms of Section 42(b) of the City of Cape Town Municipal Planning By-Law.
- A departure to relax the southern side building line from 6.54m to 2.7m in terms of Section 42(b) of the City of Cape Town Municipal Planning By-Law.
- A departure to relax the eastern side building line from 6.54m to 3.2m in terms of Section 42(b) of the City of Cape Town Municipal Planning By-Law.
- A departure to relax the maximum allowed floor factor from 1 to 1.02 in terms of Section 42(b) of the City of Cape Town Municipal Planning By-Law.