



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500156637

**Erf 178329, Erven 17470 - 174284
Ella and Longmarket Streets, Bo-Kaap**

Development Management

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Date: 16 December 2025 (as amended 11/03/2026)

Ref: 9836 (Cor van der Merwe)



APPLICATION FOR REMOVAL OF RESTRICTIONS, DELETION OF DEEMED EXISTING CONDITIONS OF APPROVAL, REZONING, CONSOLIDATION, COUNCIL CONSENT, DEPARTURES, COUNCIL'S APPROVAL, DELETION AND AMENDMENT OF CONDITIONS OF APPROVAL: ERVEN 178329, 174270 – 174284 CAPE TOWN AT ELLA AND LONGMARKET STREETS, BO-KAAP ("DORP HOTEL")

1. INTRODUCTION

This report motivates the proposed land use applications required to regularise the existing buildings and land use of the above-mentioned erven, which are collectively used for "hotel" purposes (the "Dorp Hotel").



The necessary administrative penalty application was submitted to Council in June 2025 (Case ID 1500145715).

The existing buildings will remain as they currently are, and no additions or other changes to them are proposed. In other words, the “look and feel” of the Hotel, as well as the functioning thereof within the surrounding urban environment, will not change from what it has been for the duration of its existence.

The above is critical to appreciate in light of and notwithstanding the proposed list of land use applications. The properties are located in the Bo-Kaap Heritage Protection Overlay Zone (HPOZ).

The following applications are required in terms of Section 42 of the City of Cape Town’s Municipal Planning Amendment By-Law, 2015, as amended (‘By-Law’):

- 1.1 Section 42(a): The **rezoning** of Erven 174270 – 174284* Cape Town from Residential Zoning 1: Conventional Housing (R1) to General Residential Sub-zoning: General Residential Sub-zoning: GR2.

*Note: Erf 178329 is already zoned GR2.

- 1.2 Section 42(f): The **consolidation** of Erven 178329 & 174270 – 174284 Cape Town into one land unit of 6387m².

- 1.3 Section 42(i): **Council’s consent** in terms of Item 40(b) of the Development Management Scheme (DMS) to permit a “hotel” on the proposed consolidated site (Erven 178329 & 174270 – 174284 Cape Town).

- 1.4 Section 42(b): The following **permanent departures*** from the provisions of the DMS:

- 1.4.1 Item 41(e) of the DMS to permit the existing buildings to be 1.545m and 2.8m in lieu of 4.5m from the Ella Street boundary.
- 1.4.2 Item 41(e) of the DMS to permit the existing buildings to be 1.5m and 4.445m in lieu of 4.5m from the Longmarket Street boundary.
- 1.4.3 Item 41(e) of the DMS to permit portions of the existing buildings (Buildings 1, 6 & 10), beyond 18m from the Ella Street boundary, to be 0m in lieu of the 4.5m & 0.6H required setbacks from the south-west common boundary (with Erf 379).
- 1.4.4 Item 41(e) of the DMS to permit a portion of the existing building (Building 3), beyond 18m from the Ella and Longmarket Street boundaries, to be 0m in lieu of 4.5m, from the north-west common boundary (with Erf 387).
- 1.4.5 Item 41(e) of the DMS to permit a portion (veranda) of the existing building (Building 9) to be 0m in lieu of 4.929m from the north-east common boundary (with Erf 387).
- 1.4.6 Item 41(e) of the DMS to permit portions of the existing buildings (Buildings 1, 2, 3, 4 & 5), beyond 18m from the Longmarket Street boundary, to be between 2.967m and 3.445m in lieu of the 4.5m & 0.6H required setbacks from the north-west common boundary (with Erven 372 & 375).
- 1.4.7 Item 45A of the DMS to permit some of the vehicle accesses to the property to be from a section of the adjacent road (i.e. top end of Longmarket Street) with a road reserve which is less than 9m in width (a technical departure).
- 1.4.8 Item 137 of the DMS to permit 17 parking bays in lieu of 28 bays required for the hotel and restaurant.

- 1.4.9 Item 140(2)(a) read with (b) of the DMS to permit three (3) carriageway crossings (CWC) in Ella Street in lieu of two (2) CWC's permitted (the street boundary exceeds a length of 30m).
- 1.4.10 Item 140(2)(a) & (c) of the DMS to respectively permit two CWCs in Longmarket Street, and for one of the two CWCs to be 9.215m in width in lieu of 8m in width.
- 1.4.11 Item 140(2)(c) of the DMS to permit one of the existing CWCs in Ella Street to be 28.6m in width in lieu of 8m in width permitted.
- 1.4.12 Item 141(1)(b) of the DMS to permit the existing layout of the parking areas where cars leave the site by reversing over the sidewalk.

*Primarily, the proposed setback departures are considered to be technical in nature, given that they relate to existing buildings but are required due to the proposed change in zoning from R1 to GR2.

- 1.5 Section 42(i): **Council's approval** in terms of Item 162 of the DMS to regularise portions of the *as-built* portions of some of the buildings, the proposed minor alterations and additions, the consolidation, the rezoning, and the proposed land use (change from single residential and boarding house to hotel), in the Bo-Kaap HPOZ.

- 1.6 Section 42(g) & (j): The **removal of the following restrictive title deed conditions** and what is **deemed to be existing conditions of approval granted** with respect to the following erven and Deeds of Transfer:

1.6.1	Condition II in Deed of Transfer	(Erf 174270 Cape Town)
1.6.2	Condition II in Deed of Transfer	(Erf 174271 Cape Town)
1.6.3	Condition II in Deed of Transfer	(Erf 174272 Cape Town)
1.6.4	Condition II in Deed of Transfer	(Erf 174273 Cape Town)
1.6.5	Condition II in Deed of Transfer	(Erf 174274 Cape Town)
1.6.6	Condition II in Deed of Transfer	(Erf 174275 Cape Town)
1.6.7	Condition II in Deed of Transfer	(Erf 174276 Cape Town)
1.6.8	Condition II in Deed of Transfer	(Erf 174277 Cape Town)
1.6.9	Condition II in Deed of Transfer	(Erf 174278 Cape Town)
1.6.10	Condition 2 in Deed of Transfer	(Erf 174279 Cape Town)
1.6.11	Condition 2 in Deed of Transfer	(Erf 174280 Cape Town).

- 1.7 Section 42(j): The **amendment and deletion**, as indicated, of various **conditions** in respect of existing approvals granted:

- 1.7.1 The **amendment** of Condition 1.38 (Council approval; Case ID 70415500; dated 11/10/2018) which reads as follows:

Condition 2.7: The property, except the newly consolidated Erf 178329 (previously Erven 159693 and 386), shall be developed substantially in accordance with the Site Development Plan (Drawing numbers 0001-0005, dated 24-08-2016, and C- 0001-0008, 0016-0026, dated 24-08-2016) and Unit Types/Sections/Elevations with regards to the buildings form and envelopes as prepared by Rennie Scurr Adendorff Architects respectively, to the satisfaction of the Commissioner: TDA. Erf 178329 shall be developed generally in accordance with the Site Development Plan (Drawing numbers 1612.09-1 Rev. C dated 05/30/18; 1612.09-2 to -5 Rev. C dated

2018/05/23; 1612.09-6 and -7 Rev. C dated 2018/04/20) as prepared by Toro Agency Design & Architecture to the satisfaction of the Commissioner: TDA”.

To read as follows:

~~Condition 2.7: The property (proposed consolidated Erven 178329 & 174270 – 174284 Cape Town) except the newly consolidated Erf 178329 (previously Erven 159693 and 386), shall be developed substantially in accordance with the Site Development Plan (Drawing numbers 25052 03 101 – 106; 03 200 – 204; 03 301; all Rev. 2 (dated 11/03/2026); 0001-0005, dated 24-08-2016, and C-0001-0008, 0016-0026, dated 24-08-2016) and Unit Types/Sections/Elevations with regards to the buildings form and envelopes as prepared by Rennie Scurr Adendorff Architects respectively Van Zyl Gaertner Associates Architecture., to the satisfaction of the Commissioner: TDA. Erf 178329 shall be developed generally in accordance with the Site Development Plan (Drawing numbers 1612.09-1 Rev. C dated 05/30/18; 1612.09-2 to -5 Rev. C dated 2018/05/23; 1612.09-6 and -7 Rev. C dated 2018/04/20) as prepared by Toro Agency Design & Architecture to the satisfaction of the Commissioner: TDA”.~~

- 1.7.2 The **deletion** of Conditions 1.35., 1.36., 2.2., 2.3., 2.5., 2.6., 2.9., 3.1. (including all sub-paragraphs) and 3.7. (Council approval; Case ID 70304619; dated 17/03/2017; & SPELUM approval, LM3403 (126344), dated 14/01/2010) which are referred to on the attached copies of LUMS approvals.

The following documents are attached to this report:

- Power of Attorney, Company Resolution, CIPC report
- Copies of the respective title deeds
- SG diagrams
- Conveyancer’s certificates as prepared by **Webber Wentzel Attorneys**
- Proposed Site Development Plan (SDP) as prepared by **Van Zyl Gaertner Associates Architecture**
- Consolidation plan as prepared by **Tommy Brummer Town Planners**
- Traffic statement as prepared by **Motion Consulting Engineers**
- Record of pre-application consultation meeting
- Copies of approved building plans
- Copies of previous land use approvals
- Application form

2 THE PROPERTIES (PARTICULARS & BACKGROUND)

All the erven (16) are owned by one company there is only one director who has signed the necessary forms to appoint **Thomas Brian Brummer** to submit the application on the Company’s behalf.

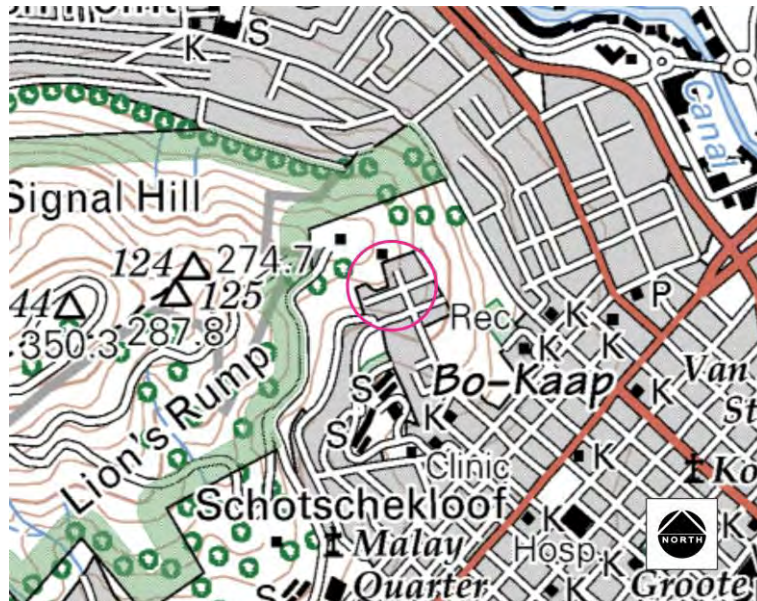
The Dorp Hotel effectively comprises of two “components” which are informally referred to as “Upper Dorp” (the 10 erven taking access off Longmarket Street, including the internal private road (Erf 174270) – Signal Close), and “Onder Dorp” (the 6 erven taking access off Ella Street). They are however operated as one integrated hotel.

2.1 Heritage Protection Overlay Zone

The properties are situated in the Bo-Kaap HPOZ, and in terms of Item 162 of the DMS any “*alteration, including any action affecting the structure, appearance or physical properties of a heritage place...any development (including consolidation of land and change of use...*” etc. requires Council’s approval.

With the exception of the former building (the original Noon Gun Tea Room) on the former Remainder Erf 386 (now part of Erf 178329) which was older than 60 years (but since completely changed), all the other buildings are new, having been constructed at or just after 2018 (i.e. not older than 60 years).

The locality map, aerial photo, City Survey Map, zoning map and noting sheet of the properties are below.





were for the development of these erven with single dwelling houses, except on Erf 178329 (a consolidation of the former Erven 159693 & Remainder 386) and on Erf 174270 (the internal, private road).

- Erf 178329 was rezoned to GR2 for boarding house (7 bedrooms) purposes.
 - No objections were received at the time when the above application was advertised.
 - The above application was made and approved *prior* to the Bo-Kaap becoming a HPOZ.
- ❖ Council approved – with delegated authority, in 2018 (Case ID 70415500), the amendment of the previous conditions of approval pertaining to Erf 178329, and relating to the then approved Site Development Plan (SDP) to permit additional structures on this erf.
- This approval was prior to the HPOZ status of the Bo-Kaap.
 - This LUMS approval (copy attached) does not appear to have been followed-through with the submission of building plans at the time, and these portions remain “unapproved” with respect to obtaining building plan approval. Since that LUMS approval, the area has been declared to be a HPOZ.
- ❖ Council approved, in April 2019 (Case ID 70451431), an “exempted subdivision” application to enable the registration of a servitude area over Erf 178329.
- ❖ Council approved, in January 2026 (Case ID 1500144194), “exempted subdivision & consolidation” application to enable the adjustment of boundaries between Erven 174278 & 387, and between Erven 387 & 174281.
- No specific land use approvals were granted pertaining to the “Onder Dorp” erven, except for the fact that these erven were to be excluded (in terms of the amendment of a condition of approval) from the then required Homeowner’s Association.
 - Copies of all the above-mentioned LUMS approvals are attached.
 - Building plans were subsequently approved for the Upper and Onder Dorp erven (copies attached).
 - At the time of the above-mentioned LUMS applications the registered owner of the erven (except Erven 174279 & 174280) was **Cedar Falls Properties 212 (Pty) Ltd.** (the two erven mentioned are now also owned by this Company). Historically, the two directors of the company were *Ms Gail Behr* and *Mr Marc Hosiosky*. The erven are still in the name of this company; however, of the original two directors the former has passed away and the latter has resigned some years ago. There is now only one director, since 2023 (Mr Simon Blackie).

2.3 Title Deeds and conveyancer certificates

The title deed searches have been undertaken by **Abdul Allie** from **Webber Wentzel Attorneys** and the various conveyancer certificates are submitted.

The deeds for Erven 174270 – 174278 each contain a Condition II which reads as follows:

II. **SUBJECT** to the following condition as imposed by the City of Cape Town in terms of Section 98 of the City of Cape Town Municipal Planning By-Law of 2015;

The following erven shall be members of the **SIGNAL HILL HOME OWNERS ASSOCIATION**. Erven 174270 (internal road), 174271 to 174278 and Erf 178329 Cape Town, and shall be entitled to the rights and subject to the obligations and restrictions set out in the constitution of the Association, which includes the following:

1. A member shall not be entitled to:

1.1 alienate or transfer a residential erf by means of re-sale unless it is a condition of the alienation and transfer that:

1.1.1 a transferee becomes a member of the Association;

1.1.2 the registration of transfer of that residential erf into the name of the transferee shall *ipso facto* constitute a transferee as a member of the Association;

1.1.3 he obtains a clearance certificate from the Association which shall be given provided -

1.1.3.1 the alienee of such residential erf agrees in writing to accept and abide by the Constitution of the Association;

1.1.3.2 half a percentage of the selling price of the residential erf, and improvements thereon, is paid to the Association by the registered owner;

1.1.3.3 all amounts owing by the registered owner to the Association have been paid or satisfactorily secured;

1.1.3.4 all obligations of the registered owner in terms of the Constitution have been complied with in full.

The deeds for Erven 174279 and 174280 each contain a Condition 2 which reads as follows:

2. Subject to the following condition contained in Deed of Transfer Number T36347/2016 and imposed by the City of Cape Town in terms of Section 42 of the Land Use Planning Ordinance No 15 of 1985 when approving the consolidation and subdivision of Erven 382, 383, 388 and 159693 Cape Town, Ella Street, namely:

"The owner of this erf is a member of the Home Owners Association established by virtue of a condition imposed in terms of Section 29 of the Land Use Planning Ordinance No 15 of 1985 by the City of Cape Town and upon approval of the subdivision for the consolidated erven 382, 383, 388 and 159693 Cape Town, Ella Street and shall be entitled to the rights and subject to the obligations and restrictions set out in the constitution of the Home Owners Association."

These conditions are historic remnants of previous land use conditions of approved, imposed by Council, when these erven were created as part of the subdivisions of the original mother erven. The Homeowners Association (HOA) referred to in these conditions were initially intended to "govern" the (or manage) the relevant erven as single dwellings forming part of this group of properties. However, since the dwellings never ended up being effectively used as dwelling houses (i.e. single residential purposes) but as a hotel, the HOA was never constituted and it therefore does not exist. It is also not required given the application to regularise the use of the properties for hotel purposes.

The HOA conditions were purely a requirement from the Council on the property owners; the conditions are not in favour of any other third party (e.g. any of the external/surrounding erf owners). No person or property therefore enjoys, or stood to enjoy, any benefit from these conditions.

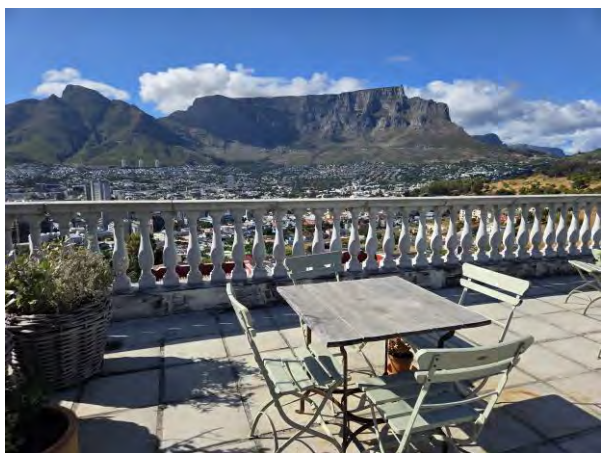
The conditions are entirely superfluous and should be removed.

Since they were imposed after the Township Ordinance No. 33 of 1934, the proposed removal and deletion of the conditions are “mandatory”, and the application is in terms of Section 42(g) and (j).

3

DEVELOPMENT PROPOSAL

The main objective is to regularise the existing Dorp Hotel. The following photos provide a snap-shot of the general “look and feel” of the Hotel and grounds:





The above will largely be achieved through the consolidation of all the erven into one property, and the rezoning of the R1-zoned erven to GR2, with consent for a hotel. This was discussed during the pre-application consultation (dated 2 July 2025) and confirmed via e-mail from the City (dated 19 August 2025), copy attached) as being the most appropriate manner to proceed with the regularisation.

From a visual and practical perspective, the existing buildings (with respect to appearance and envelope), as well as the operations of the Hotel, will remain exactly as they are currently. No new external changes to the buildings or the hotel are proposed, and hence there will not be any change with respect to the *status quo* of the hotel (i.e. no change to impacts on the area).

The particulars of the Hotel are as follows:

- 43 bedrooms (potentially 86 pax).
- In total, 34 parking bays are provided. Of these, 17 bays are situated on-site and comply with the DMS, whereas the other 17 bays, although practical and available for parking, do not comply with the DMS and are therefore not formally counted towards the parking provision.
- A restaurant of approximately 150m² which is open to the public (40 seats).
- No alcohol is currently served or sold on the premises (including the restaurant).
- A small sauna (25m²), a treatment room, and a gym (40m²), exist for the exclusive use of the guests.
- 75 staff members are employed as part of the hotel operations.
- Two spaces (Palm and Games Room, respectively 108m² and 65m² in extent) are available for hotel guests only, and can be used for small get-togethers or functions – refer to photos below. These rooms are not available for rent or use by the general public (outside persons).



Games Room



Palm Room

The particulars of the various land use applications are set out in the beginning of the report, with a short synopsis below:

- The proposed **rezoning** is to enable the properties to acquire the correct and appropriate zoning (GR2) to permit the existing hotel (the existing R1 zoning of all but one of the erven do not permit a “hotel” as a primary right or a consent use).
- The proposed **Council’s consent** is to permit the “hotel” on the proposed GR2 zoned properties.
- The proposed **departures** are primarily related to the fact that the proposed GR2 zoning have a different set of development rules which would become applicable, compared to the development rules of the existing R1 zoned properties. These departures are therefore considered to be highly technical in nature and impact (being a function of the intended change in zoning).
- With respect to the other **departures and Council’s approval**, it is also not believed that those have any material external impact, as will be motivated further in this report.

The DMS permits outbuildings within the common boundary building lines (Item 41(e)(ii)). The existing store rooms on the south-western common boundary (next to Building 1) is thus permitted and does not require a departure.

- The **consolidation** is to create one erf measuring 6387m² in extent. The size includes the recently approved minor boundary adjustments made to Erven 174278 & 174281 (Case ID 1500144194, dated 31/10/2025).

A massing model was prepared as required in terms of Section 99(2)(f) of the By-Law. This normally aims to demonstrate the potential impact of a building(s) based on the consolidated erf from a “massing” perspective; however, in this instance the exercise is highly theoretical given that (a) no actual building work is proposed, and (b) no building work is permitted in any event (notwithstanding the proposed rezoning and consent) given the fact that the erven are situated in a HPOZ which automatically triggers a land use application for any new work or land use.

- The proposal will require **Council’s approval** by being in a HPOZ. There will be no undue impact on this part of the Bo-Kaap given the particulars of the erven and land use.
- The proposed **removal of restrictive conditions and deletion of deemed conditions of approval** (all in the title deed) and which refer to the “Signal Hill Home Owners Association”, are not relevant (any longer) given that the HOA was never established and is also no longer needed (because of the change in the nature of the land use, i.e. no longer single residential dwellings but it is now a hotel).
- The proposed **amendment** of some of the previous **conditions of approval** is required because those conditions refer to Site Development Plans which are now proposed to be replaced (so reference to the new plan numbers is required).
- The **deletion** of the previous **conditions of approval** (as per paragraph 1.7.2 above) are also required for the reasons which will be set out later in this report (desirability).
- The total area of the erven to be rezoned to GR2 is 5073m², and a total of 15 erven will be consolidated. The dwellings on the R1-zoned erven were only built in *circa* 2017 and 2018. The original building on the former Remainder Erf 386 (which was consolidated with Erf

159693 to create the current Erf 178329) was the Noon Gun tea room; this building was comprehensively re-built in terms of approved building plans in 2021.

In terms of Sections 34 and 38 of the National Heritage Resources Act, no application to Heritage Western Cape (HWC) is required given that the existing buildings are not older than 60 years, and also given that the proposed rezoning and consolidation will not change the character of the site (this was confirmed by **Mr Johan Cornelius**, heritage practitioner vide e-mail enquiry dated 20 – 21 November 2025, copy attached).

None of the erven are graded.

- With regard to parking and access: the site is situated in a PT1 Area. Departures are required with respect to the provision of on-site parking and the reversing of cars over the sidewalk when leaving the site. A traffic impact statement was prepared by **Motion Consulting Engineers** (transport consultant) which supports the proposal with respect to the provision of parking and the impact on the traffic network and safety.

With respect to the development rules, the following table sets out the particulars of the consolidated site with respect to the development rules of the proposed GR2 zoning:

<u>Development rules</u> <u>(Proposed GR2 zoning)</u>			
	<u>Permitted/required</u>	<u>Proposed</u>	<u>Departure</u>
Floor factor	1.0 (6387m ²)	0.56 (3577m ²)	No
Coverage	60%	36.5%	No
Height (top of building above EGL)	15m	Less than 15m	No
Street boundary building line	4.5m	1.5m & 4.445m (Longmarket Street)	Yes
		1.545m & 2.8 (Ella Street*)	Yes
Common boundary building lines	4.5m or 0.6H (0m up to 15m in height where intersecting a street boundary, for a distance of 18m measured perpendicular from such street boundary).	0m (west), 0m (north), 3.205m (east)	Yes
Access from road	Road reserve must be at least 9m wide	Longmarket Street (Approx. 3.6m)	Yes (technical)
		Ella Street (12.5m) wide	No
Parking (PT1 Area)			
Hotel (43 bedrooms)	22 bays	17 bays	Yes

Restaurant (150m²)	6 bays	0 bays	Yes
Carriageway crossing (CWC)	2.4m min. width	28.6m (Ella Street)	Yes
	8m max. width	9.125m (Longmarket Street)	Yes
	1 CWC per street boundary	2x Ella Street 2x Longmarket Street	No Yes
Street boundary wall**	2.1m (height) 25% permeability	N/A	N/A
Common boundary wall	2.5m above EGL	Approved	No
Heritage area	Bo-Kaap HPOZ	-	Yes

*Note: Some of the new structures along Ella Street are “entrance steps and landings” which lead to the ground floor of the buildings, and which are permitted in terms of Item 121(1)(a)(iii) of the DMS.

**Note: There is no street boundary wall or fence. The gate on Erf 178329, at 4.5m from Longmarket Street boundary and adjacent to Erf 387, is not “on or immediately next to a cadastral boundary” (as per the definition of “boundary wall” in the DMS), and as such is not subject to Item 136B. The gate complies with Item 41(e) of the DMS (but would have been permitted in the event that it encroached over the street boundary building line in terms of Item 121(1)(a)(iA)).

The “as-built” plans (Site Development Plan) and the massing model were prepared by **Van Zyl Gaertner Associates Architecture**.

4 ADJUDICATION AND MOTIVATION

When considering the proposal consideration must be given to Section 99 of the By-Law, as well as Section 59 of LUPA and Section 7 of SPLUMA.

4.1. Motivation in terms of Section 99(1) of the By-Law

The application complies with the following minimum threshold requirements:

- (a) The application is **consistent with the Municipal Spatial Development Framework (MSDF)** which promotes contextually appropriate densification and intensification of land use. No deviation from MSDF is required. The property is in an area designated as the “Urban Inner Core”.
- (b) The application, or the approval thereof, would not have the effect of granting the property the development rules of the next subzone within a zone.

4.2. Motivation in terms of Section 99(2) of the By-Law

The application complies with the following relevant considerations:

(a) Applicable Spatial Development Frameworks

- The proposal is consistent with the **Provincial Spatial Development Framework (PSDF)** as it directly supports the growth of the Western Cape economy and the tourism sector, whilst creating and sustaining employment opportunities. The hotel, which is quite a unique concept and in a contextually appropriate location, is consistent with the following quote from the PSDF:

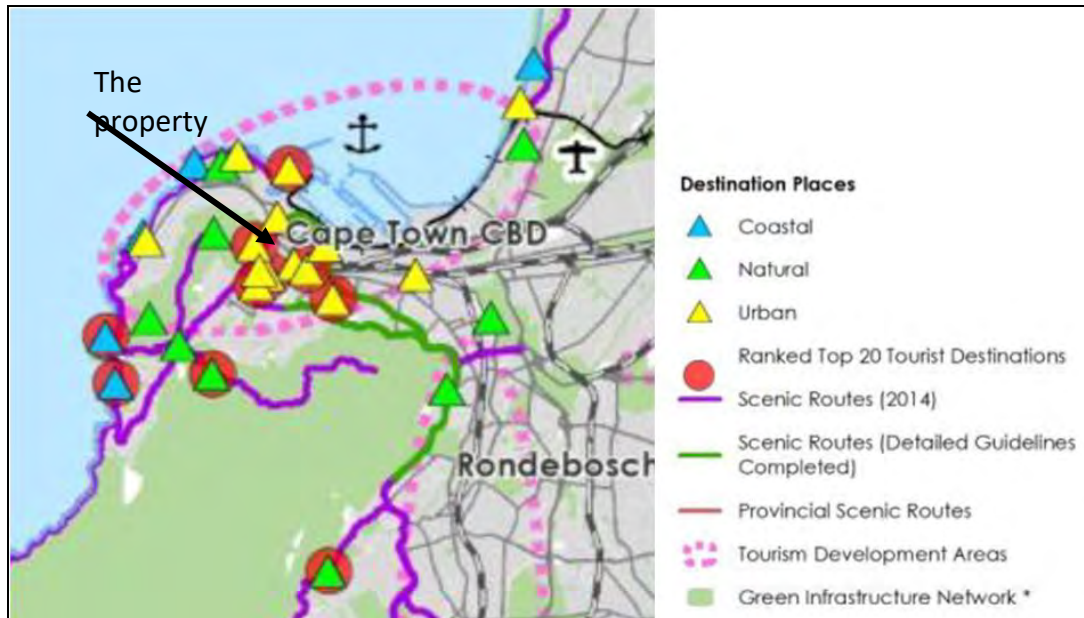
“The integrity of the Province’s natural and built environments is also of critical importance to the further development of tourism, as the Western Cape’s tourism economy is nature and heritage based, and built on a foundation of a high-quality and unique environment” (underlining our emphasis).

- The property is situated in the “Urban Inner Core”, and is consistent with the **Metropolitan Spatial Development Framework (MSDF)** which has, as its main principle, that the Council, public and private sectors be committed to a coordinated, spatially targeted investment and land development to spatially transform and integrate the city form. The desired spatial outcome for the Urban Inner Core is diverse and dense land uses in association with public transport infrastructure.

The hotel is a form of desirable and compatible land use intensification in a contextually appropriate location, being effectively part of the inner-City (within 500m from Buitengracht and the City Bowl).

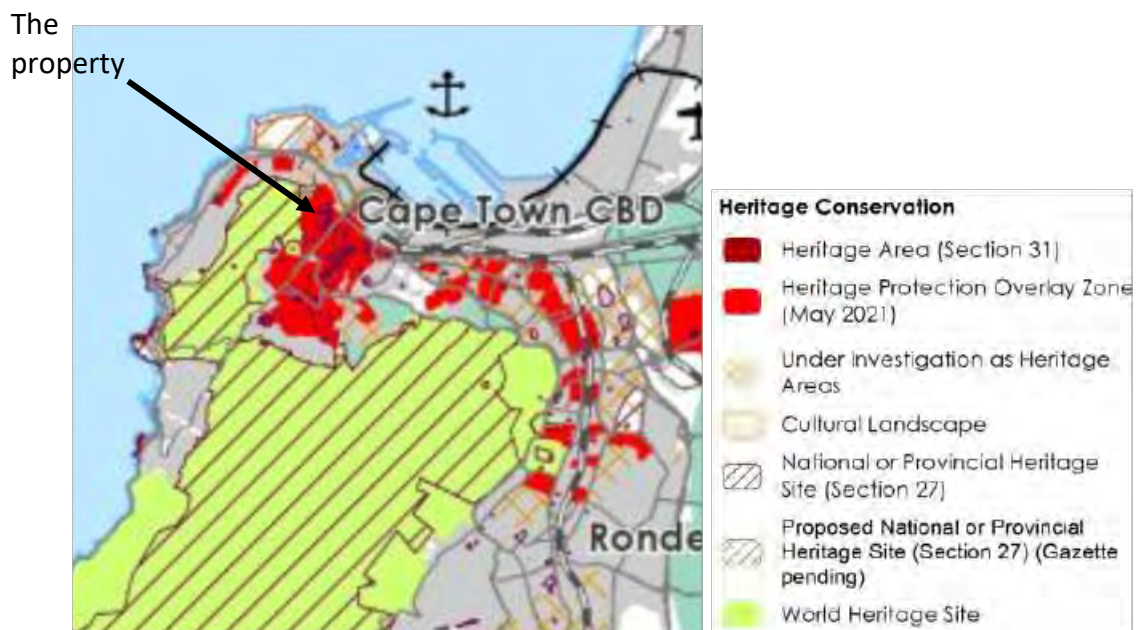
The MSDF spatial concept is informed by aspects such as development corridors, metropolitan and district nodes, a network of Transit Accessible Precincts (TAPs), key economic infrastructure, heritage conservation areas and cultural landscapes, tourism assets, and a range of civic clusters.

The Bo-Kaap is surrounded by and within walking distance of urban and natural destination places, and is one of the “ranked Top 20 tourist destinations” as can be seen on the extract of the Tourism Assets & Green Infrastructure Network Map 5g of the MSDF, below.



Extract of Map 5g of the MSDF

The Bo-Kaap is also an identified Heritage Area and within a HPOZ, as illustrated on the extract of the Heritage Conservation Areas and Cultural Landscapes Map 5f of the MSDF, below.

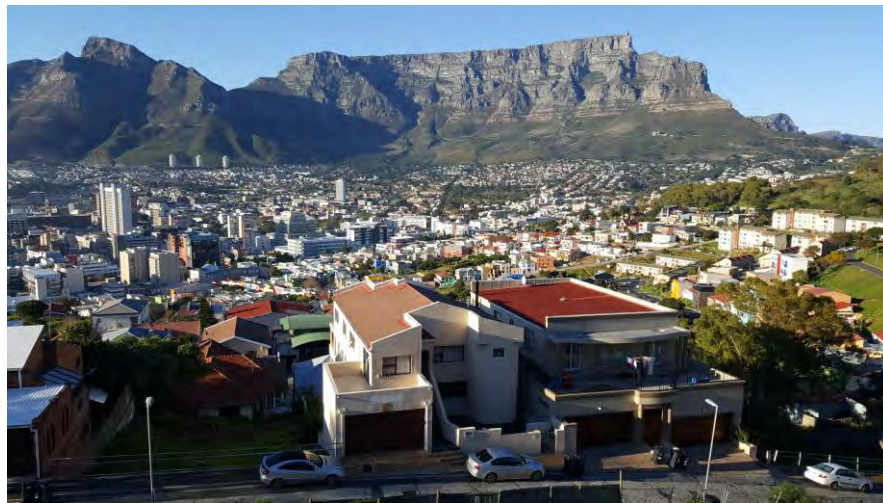


Extract of Map 5f of the MSDF

The property also forms part of an existing Transport Accessible Precinct (TAP), being situated approximately 500m walking distance from Buitengracht (the property is situated in a PT1 Area which is a mechanism to promote densification and intensification of land uses in areas with good quality public transport).

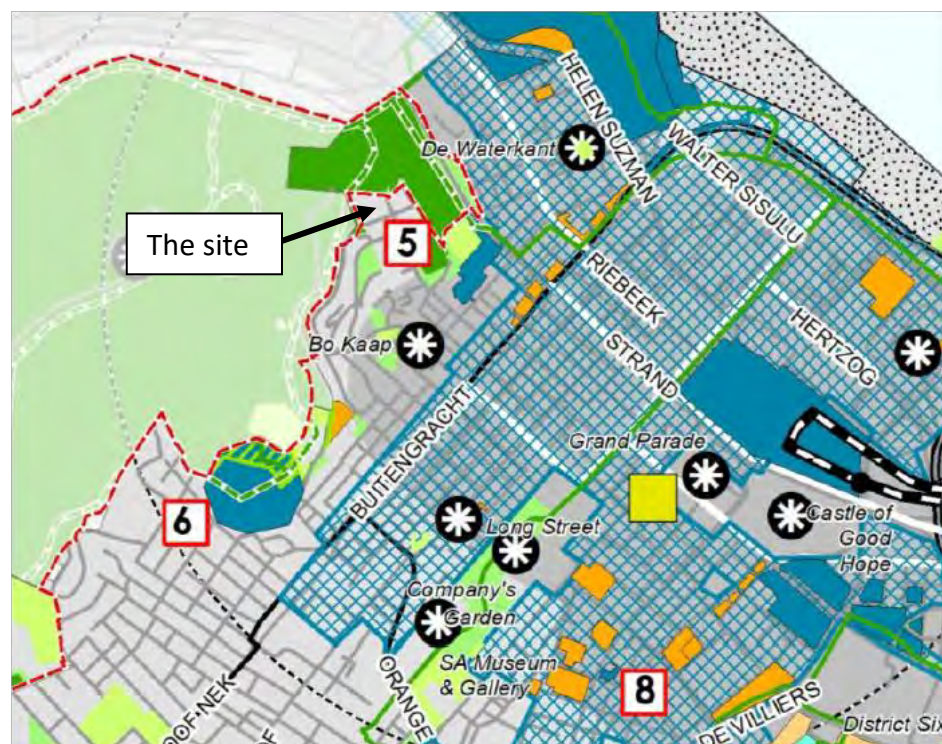
The proposed consolidation is not a prerequisite to accommodate the hotel use, but the former will greatly enable to optimal functioning of the hotel as a business and tourism enterprise in a contextually appropriate location. In addition, the proposed consolidation will allow for the “consolidation” of the electrical supply as well as other utilities (e.g. water) which would be more efficient (the individual erven currently each has its own connection).

Granting of the application to permit a 43-room hotel on the consolidated site will enable appropriate land use intensification in an existing urban area which is well served by public transport and a range of urban nodes, in line with the MSDF.



The view that tourists enjoy from the Dorp Hotel to Table Mountain (World Heritage Site)

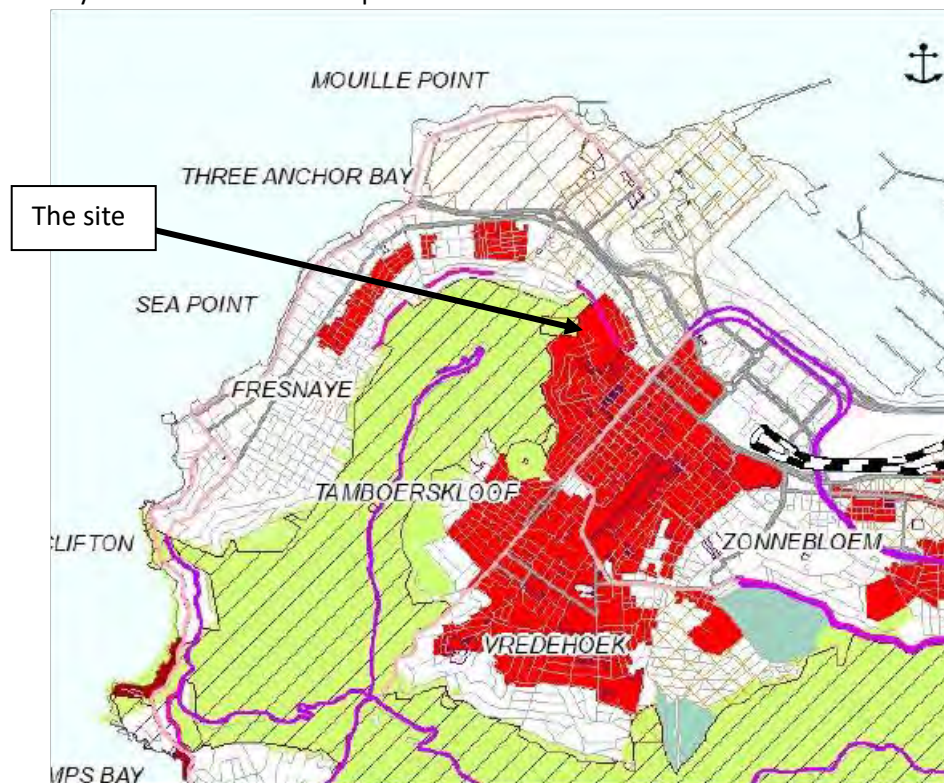
- **Inclusive Economic Growth Strategy (2021):** The proposal is consistent with the aims of this Strategy, namely it represents significant private investment, and will directly support economic growth and tourism – helping to sustain the vibrant nature and sustainability of the inner-City. The regularisation of the hotel will also ensure that the large number of jobs of the hotel staff will be retained and protected.
- The proposal is consistent with the **Table Bay District Plan**. The subject property falls in the Sub-District 2: “City Bowl, Port and Surrounds Area. The property is situated in the area identified for “urban development” and is part of the area (Bo-Kaap) which is a “destination place”. It is within the Urban Development Edge. The role of the District is, *inter alia*, to protect and enhance the economic function of the CBD (which is an economic node of both local, national and international significance) to ensure the future resilience of the City.



The proposal is consistent with the following spatial opportunities, vision, objectives and guidelines of the Plan:

- ❖ *Maintain the viability of economic areas (i.e. the CBD),*
- ❖ *Enhance the sense of place and celebrate heritage,*
- ❖ *Ensure appropriate built form and land use to achieve a quality environment.*
- ❖ *Promote inclusive land use and transit-oriented development.*
- ❖ *Protect the character defining elements of HPOZs.*
- ❖ *Promote appropriate intensification in association with transit.*
- ❖ *Protect and enhance the network of pedestrian routes and facilitate increased accessibility.*
- ❖ *Protect the fine-grained, mixed-use character of the precinct as well as its residential integrity.*
- ❖ *Promote improved access to economic opportunities linked to tourism by encouraging pedestrian access into the Bo-Kaap.*
- ❖ *Development activities should consider how character-defining elements e.g. built form, urban grain, street interfaces, etc. may be retained or enhanced.*
- ❖ *Manage parking to lessen impact on the environment and reduce car trip demand.*
- ❖ *Protect the visual and amenity value of the area as a destination place (retain and enhance the unique quality of the heritage area and leverage tourism interest in the area by supporting land use responses e.g. restaurants and pop-up shops in appropriate locations).*
- ❖ *Retain and expand job generating businesses as a key focus of spatial planning.*

The location of the property within the identified Heritage Area and Bo-Kaap HPOZ in the inner-City is indicated on the map below:



Extract of Cultural & Heritage Resources Map: District Plan

The proposed hotel is considered to be entirely in character with the surrounding built environment (with respect to its appearance and built form), and very compatible (with respect to land uses).

- The **Bo-Kaap Local Spatial Development Framework (2023)**: This local SDF was approved in March 2023, with the Bo-Kaap Local Area SDF Draft Baseline Analysis preceding it (August 2021). Both of these documents identify certain character areas (which in turn forms part of the HPOZ), and with the over-arching approach being that “the whole [of the area] is greater than its parts”. This effectively means that all the different areas, streetscapes and elements with their respective characters, must be seen to contribute collectively to the “coherent whole”. In other words, each property is effectively an individual piece of the puzzle which all fit together to create the overall “Bo-Kaap picture”.

The property is situated within this demarcated LSDF area, and in particular in the identified “Precinct 4 – Stadzicht”. This precinct comprises of two portions, namely the lower Stadzicht portion and the Upper Schoonekloof portion (containing the subject erven). The latter portion is generally characterised by larger and more modern dwellings and contemporary architecture (of which there are a number of examples – refer to the photos below).



2C Augustus Street (Rem/Erff 634)



2A Augustus Street (Erff 631)



2B Augustus Street (Erff 116168)



240 Longmarket Street (Erff 671)



1C Augustus Street (Erf 674)

Furthermore, the proposal (which all relate to the existing buildings) is consistent with the “development guidelines” and “land uses” for this Precinct in the following manner:

- ❖ It acknowledges the built heritage of the area by taking cognizance of the existing architectural form, scale and building mass,
- ❖ It ensures safety and pedestrian friendly environments close to school and pedestrian movement systems (e.g. Longmarket Street),
- ❖ It will protect the scenic qualities of Military Drive,
- ❖ It promotes Longmarket Street as a major pedestrian link connecting the upper parts of Bo-Kaap with the CBD (the site is situated directly on this street), and
- ❖ With respect to “land uses”, the LSDF states that future development should be compatible with the existing residential environment, and that “unobtrusive and low-key” land uses which do not detract from the character of the area should be supported.

The hotel is considered to be compatible with the existing character of the surrounding built environment (the hotel has been operating for a number of years already in harmony with the surrounding area; this office is not aware of any formal complaints from residents or that any land use notices have been issued). Further to the above, the hotel’s architecture (design) is also considered to have advanced the architectural interest in and a sense of place of the Bo-Kaap as a unique landmark collection of buildings on the immediate fringe of the city centre, and which was inspired by the local vernacular style and form which is so typical of the Bo-Kaap (and perhaps with a slight contemporary “twist”).

As can be seen on the extract of the LSDF map below, the site directly abuts Longmarket Street which is an identified “pedestrian integration route”. It is also within the immediate vicinity of several identified “destination places”. The LSDF identified two of the Bo-Kaap challenges as being the unemployment rate and lack of economic opportunities for local residents. An environment conducive to investment and local economic upliftment is imperative.



SDF Composite Map with subject erven identified

(b) Relevant Criteria in the DMS

The application complies with relevant criteria contemplated in the DMS, i.e. the proposal is desirable when assessed in terms of the adjudication criteria set in out Section 99.

(c) Applicable Policies Approved by the City

- ❖ The proposal is consistent with the Densification Policy in that it is an intensification of land use (by utilising the existing buildings), and which also supports the city's efficiency and sustainability through tourism and growing the economy.
- ❖ The proposal is consistent with the Social Development Strategy in that it assists to create a safer environment by increasing the number of people in the area, and creates job opportunities which improve the social wellbeing of people.
- ❖ The proposal is consistent with the Guest Accommodation Policy (2010): The Policy aims to guide the effective and responsible development of guest accommodation establishments in Cape Town and serves as a guideline for the assessment of proposals for such establishments.

The Policy acknowledges that tourism is one of the fastest growing economic sectors in the Western Cape and Cape Town, and states that it is in the interest of the City of Cape Town to facilitate the establishment of a range of tourist and holiday accommodation-related establishments. In terms of the Policy, a hotel is a large-scale facility (used as temporary residence) for transient guests, and incorporating various ancillary facilities (e.g. a restaurant, associated conference and entertainment facilities that are subservient and ancillary to the primary use of the property as a hotel, wellness centre/spa etc.).

The proposed hotel on the consolidated site complies with the Policy guidelines for hotels, as set out in the table below:

	Policy guidelines	Justification	Assessment
Purpose	Purpose built building which may consist of multiple free-standing structures or a multiple storey single structure	To provide high end accommodation options for transient guests, visitors and tourists	• <i>The existing buildings, which consist of three separate rows of semi-detached buildings in the typical “Bo-Kaap fashion”, will remain as they are, and are rented out for hotel purposes. They are wholly compatible with the surrounding area. A public restaurant also operates from the main reception area (Erf 178329).</i>
Scale	• Form and scale to be determined by the development parameters of the particular zone (i.e. floor space, building lines, height) and site context, and set out on the SDP. • No general restriction on number of rooms, hotel must be locally appropriate in context of the building/site characteristics and surrounding area. • Council may restrict number of guest rooms and lay down conditions necessary to mitigate the impact, and to protect the character of the area.	To ensure a scale and form appropriate and sensitive to the local building/site and surrounding area context.	• <i>The hotel comprises of 43 rooms.</i> • <i>The existing buildings were approved, mainly as single dwelling houses, and were informed by the development rules of the former SR1 zoning;</i> • <i>The hotel buildings are much lower and smaller than what is permitted in terms of the proposed GR2 height and floor space provisions.</i> • <i>The existing buildings are used for hotel purposes and there is no physical or aesthetic change to the properties. The buildings, and therefore the proposed hotel, respect the surrounding area in terms of scale, built form and character.</i>
Location	• Locational criteria to be considered include: - scale of operation - character of surrounding area - proximity to public transport routes, commercial centres and tourist amenities • A range of locations are supported, including business district areas, medium to high density residential areas, mixed use areas and resorts.	Hotels to be accommodated in most locations, but excluding single dwelling areas.	• <i>The hotel (and its buildings) is compatible with and complementary to the area with respect to scale (massing/height/envelope) and scale of operations.</i> • <i>The site is about 500m west of Buitengracht and within walking distance of the CBD.</i> • <i>The area is a very popular tourist destination place as identified in the MSDF.</i> • <i>The area is well served by</i>

			public transport and located within a medium-to-high density area. • The surrounding area is characterised by a mix of single dwellings, 2nd and 3rd dwellings, flats, restaurants, guesthouses, schools, etc. • The erven fall within the “Urban Inner Core” where land use intensification is encouraged.
Self-catering	• Meals and beverages provided to residents and casual guests. • Self-catering by means of kitchenette in rooms (self-catering units) may be permitted.	To allow flexibility to guests about catering arrangements	• Food and beverages can be served to guests (room service or in the restaurant area). • Fridges and kettles are available in the rooms/units.
Liquor use	▪ Subject to obtaining liquor licence, alcoholic beverages may be sold for on-site consumption by guests, including with meals in a restaurant or in a bar facility. ▪ Permitted liquor trading hours as per Liquor Trading hour By-law.	To ensure compliance with Liquor legislation but allow for diverse range of facilities/services to guests.	• The hotel may apply to the Liquor Board for the necessary liquor licence (only on-site consumption; no off-sales facility is proposed and should be prohibited). This is however not intended at the moment (it is pointed out that it is not a planning matter).
Ancillary facilities	• Associated restaurant, conference & entertainment facilities that are subservient and ancillary to the dominant use of the property as a hotel, e.g. a tourist/gift shop, spa, and wellness centre. • Premises licensed to sell alcoholic beverages for consumption on-site.	To provide a wide variety of complimentary services and facilities to guests.	• Ancillary facilities is a restaurant (150m², open to the public), two function rooms (108m² & 65m² respectively – not open to the public), a small gym & treatment room/sauna for guests only (40m² & 25m² respectively), and a small (souvenir) shop for hotel guests (typically part of hotels).
On-site residence	• While not required, permanent accommodation may be provided on-site for the manager, as well as <i>bona fide</i> staff quarters.	To accommodate operational requirements and to support proper management of the establishment	• No manager or <i>bona fide</i> staff resides on the property; however, staff will be on duty 24/7 to always ensure proper on-site management.
Parking	• In terms of the Policy, on-site parking must be provided at 1 bay per bedroom plus 20 bays	To prevent on-street parking that may adversely affect	• A total of 22 bays is required for the 43 hotel rooms in terms of Item 137

	if licensed (the DMS however prescribes a ratio of 0.5 bays per bedroom). • In addition to car parking, sufficient space must be provided on-site for shuttles and buses.	traffic flow, the streetscape or area character generally.	<i>of the DMS; 17 compliant on-site bays will be provided, with space for another 17 informal bays.</i> • <i>The restaurant, which is also open to the public, requires 6 parking bays. Many of the restaurant guests are of course hotel guests who will not require specific or extra parking to visit the restaurant.</i> • <i>Guests also make use of public transport, especially e-hailing services.</i>
Loading	• Sufficient dedicated on-site loading and delivery space to be provided, and set out per SDP.	• To prevent on-street loading for same reasons as above.	• <i>The DMS does not require the provision of any loading bay.</i> • <i>However, delivery vehicles do access the site and deliver goods next to the restaurant building.</i>
Staff facilities	• Staff facilities are permitted, such as sleeping quarters, offices and a lounge. • <i>Bona fide</i> staff quarters shall not be regarded as rooms for guests and may not be converted to guest accommodation.	To cater for operational requirements but prevent escalation of development beyond intended scale.	• <i>Staff (“back-of-house”) facilities will be provided, however, sleeping quarters are not provided for staff.</i>
Signage	• All outdoor signage to comply with Council’s Outdoor Advertising By-law.	To prevent inappropriate signage that might have an adverse impact on the visual integrity of the surrounding area,	• <i>The signage guidelines will be complied with.</i>
Environmental/heritage impact	• To be compatible with the surrounding character. • Where located in historic precincts/heritage areas, external appearance/facades to be sensitive to this attribute and taken into account in design. • No activities constituting a source of public nuisance shall be carried out (Council may restrict the activities). • No disturbance from loud music or other sources after 23:00, except with separate approval from Council.	To ensure a reasonable and contextually appropriate level of amenity to surrounding residents & inhabitants and to protect the character of the area.	• <i>The hotel will respect the residential character, amenity and heritage integrity of the area, an HPOZ (all the buildings already exist).</i> • <i>The facility is a quiet form of land use and no noise is tolerated; staff are on-site 24/7 – including staff outside the buildings to assist with parking and safety.</i> • <i>The restaurant closes at 22:00 (weekdays and Sundays) and 23:00 (on Saturdays and public</i>

	• Council may prescribe specific hours for special events that may cause public nuisance to mitigate. • Arrangements for on-site storage and disposal of refuse/solid waste to be incorporated and set out on SDP.		<i>holidays. This, as well as other aspects e.g. the maximum permitted number of rooms etc. can be controlled in terms of conditions laid down by Council.</i> • <i>The character of the immediate context is vastly different from that of the rest of the Bo-Kaap.</i> • <i>With regards to the use, the Bo-Kaap has a number of hospitality addresses in the area and being on the contemporary, westerly-most area of the Bo-Kaap, the use should not be seen as foreign or undesirable.</i>
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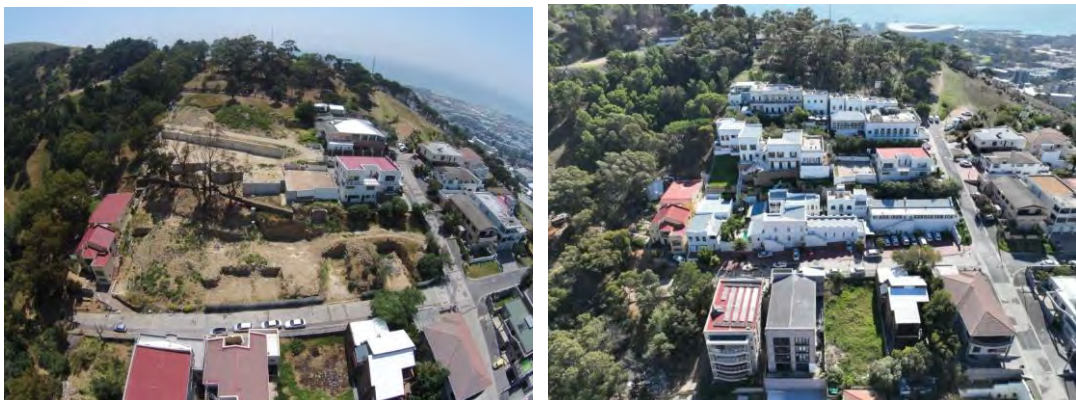
- The proposal is considered to be consistent with the principles of the Transit Oriented Development Strategic Framework (TOD) which discourages private car ownership and use, and encourages the use of public transport, whether it be buses, taxis or e-hailing services e.g. Uber. Indeed, a large proportion of the guests make use of such facilities and not necessarily rental (or private) cars. The property is within easy walking distance from the CBD and other major tourist attractions.

(d) Desirability of the proposed use and development of land as contemplated in subsection (3)

The application complies with the following relevant considerations:

(a) *Socio-economic impact*

The hotel has a positive socio-economic impact by being an attractive, upmarket and popular tourist accommodation facility in the heart of the city, and thus in close proximity to a plethora of popular tourism destination places. Historically, the erven were vacant and overgrown for many years. They were very unsightly and posed risks (due to veld fires and, as empty spaces, were at risk of illegal land occupation and/or for anti-social behaviour such as drug dealing).



The original, unsightly appearance and state of the erven (top left) compared to the existing, attractive development (top right)

The development of the erven firstly with low-key buildings in character with the Bo-Kaap area, plus the subsequently utilisation of those buildings for hotel purposes, ensured that the above-mentioned negative aspects were erased and replaced with a land use/development which positively impacts on the area and “society”.

The hotel also has a significant positive economic impact on the property owner (though the optimisation of the land use), but in particular on the Western Cape (provincial) and the Cape Town (local) economies from a tourism perspective (including from local tourists or residents who visit the restaurant). The indirect and spin-off benefits of the hotel on Cape Town and a host of other service providers can not be over-emphasised enough.

The provision of approximately 75 full-time employment opportunities is of course also important and positive for those hotel staff members from their own socio-economic perspective.

The use of the properties for hotel purposes has benefitted the Council given that commercial rates have been charged for a number of years since the hotel started to operate *circa* 2019. The very development of the erven also meant much higher rates and taxes based on those improvements, compared to the once-vacant erven.

(b) Compatibility with surrounding uses

The character of the surrounding area is mixed with respect to the various “residential” uses e.g. single dwellings, 2nd & 3rd dwellings, and a number of flats (properties are zoned R1, GR2 and GR4). The properties and buildings are of varying sizes, heights and designs. Many buildings comprise of multiple storeys, and the buildings in this upper part of Bo-Kaap have, on the whole, a much more contemporary design compared to the older buildings on the lower slopes of Bo-Kaap (which is the more historic and intact area). Refer to photos earlier in this report as well as below:





Typical examples of other dwellings and flats in the upper reaches of Bo-Kaap

The existing buildings, having been approved in terms of approved building plans, are considered to be entirely consistent with the broader heritage area from a visual and aesthetic point of view, including their scale, height, envelope, appearance and “grain”. This will not change as a result of the proposal.

In addition, the changes which were made to portions of some of the buildings during the construction of them relate to relatively minor aspects e.g. the shifting of window or door openings, change to a gable element, enclosure of a covered veranda, external stairs, etc. (These deviations are the subject of the administrative penalty application). Primarily – and importantly to this application, the footprints, envelopes, architectural style and appearance of the respective buildings have not been materially affected these deviations from the approved building plans. The buildings are still regarded as being wholly compatible and in character with the surrounding built environment and the HPOZ.

Ironically, the Hotel’s specific style is more in keeping with the genuine, historic and typical Bo-Kaap buildings compared to most of the buildings (which are more contemporary in design and style) in the immediate vicinity of the Hotel. One could therefore argue that the Hotel in fact serves as a “architectural link” between the “old Bo-Kaap styling” and the more contemporary style of the immediate area.

The hotel operates from buildings contained in three separate rows - each row consisting of several semi-detached buildings and with several courtyards, pools and extensive garden spaces in between. This “fragmented” and “articulated” nature and appearance of the hotel “complex” is considered desirable and compatible with the area (compared to one large, mono-lithic building, for example).

The hotel focuses on the upper-income tourist bracket, with guests paying a premium for the opportunity to stay in an up-market and peaceful accommodation establishment (and in close proximity to the City centre and other destination places). It is accordingly a quiet and well-managed hotel with several on-site managers and security/car guards which ensure smooth operations and orderly guests (including managing parking). The success and attraction of the hotel is largely based on the quiet nature of this “urban oasis”, and it is thus considered to be a very positive and compatible land use in the context of the area (keep in mind that a 7-bedroom boarding house was already approved on Erf 178329. The above should also be compared with what the impact could have been, were all 14 R1-zoned erven occupied by 14 different families, which, together with any number of visitors, would have uncontrolled use and potential noise levels on their respective erven. The controlled setup and nature of the hotel is considered to be preferable to the alternative.

The parking is properly managed by the hotel staff who assists with aspects such as the traffic flow (e.g. at the top end of Longmarket Street). Although not all bays are compliant

with the minimum parking requirements (with some not being fully on-site but partially on the paved road reserve/sidewalk), together the formal and informal parking work well and without any apparent impact on the road network or the area (no objections have been received that this office or the owner is aware of). The traffic flow and parking is also considered to be compatible with the area (as also supported by the Site Traffic Assessment).

The various images below clearly demonstrate the comfortable “urban fit” of the existing buildings (hotel) with the surrounding context of the built (and natural) environment:



The Bo-Kaap as a whole, as well as the area in close proximity to the hotel, are quite mixed with respect to land uses and zoning (refer to the zoning map of the Bo-Kaap below). Numerous non-residential land uses are prevalent (e.g. restaurants, schools, religious buildings, shops) while accommodation establishments also occur (e.g. guesthouses and backpackers) – refer to sub-section (e) on pages 29 & 30 below. The area, as a whole, has a medium-to-high density and vibrant character. The hotel, including the restaurant (the subject erf is already zoned GR2), is considered to be compatible with the general character of the area from a land use point of view.



Zoning map of the Bo-Kaap

(c) Impact on external engineering services

It is not believed that there should be no negative impact on the municipal services infrastructure, especially given that, primarily, all the buildings were already approved as dwelling houses (and a boarding house with dining area). Here and there an additional service would be required, e.g. for the sauna and gym, or a bathroom. The additional services required are however minor. It is noted that, with the proposed consolidation of the erven in one property, only one water and electricity connection, as opposed to the current multiple connections, will apply.

Nonetheless, the application will be circulated to relevant services branches for comment.

A Development Contribution will be paid based on the proposed rezoning and consent use.

(d) Impact on safety, health & wellbeing of the surrounding community

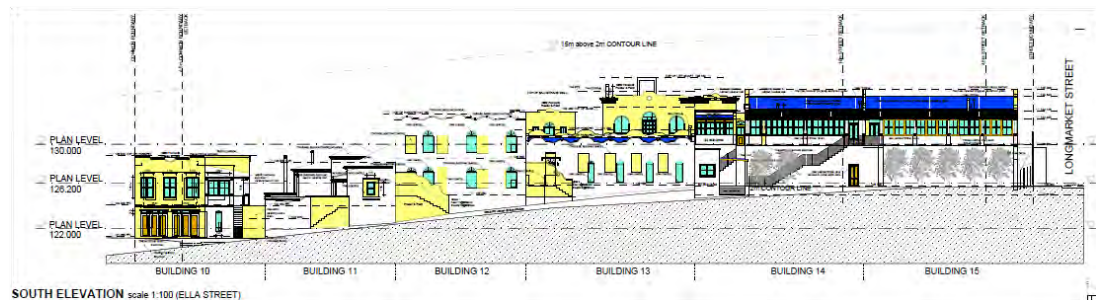
There is a positive impact on the safety, health and wellbeing of the surrounding community, as well as strengthening the viability, sustainability and cohesiveness of this suburb. Stronger and vibrant neighbourhoods are desirable and creates a sense of place and belonging, factors which are undermined and difficult to achieve when properties lie vacant and do not “contribute” in any way to the sense and well-being of the community.

As already mentioned, the original vacant nature of the erven posed safety and health risks; this was eliminated through the development of the erven. The hotel use, with guests and hotel staff present, ensures active and passive surveillance on the surrounding streets (and open spaces – such as the informal parking area at the top of Longmarket Street). This improved the general security of the area as higher levels of people-

movement normally deters anti-social behaviour. Some hotel staff occupies the premises overnight which adds to the overall security of the area.

(e) Impact on heritage

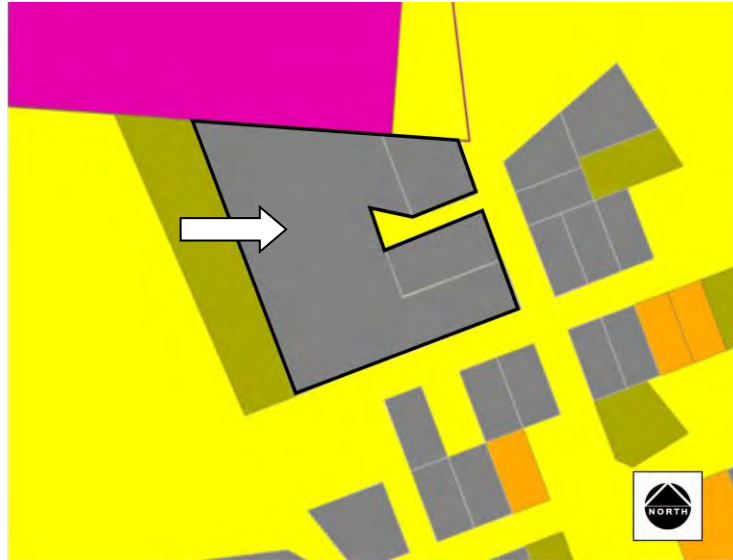
It is not believed that there is any negative impact on any heritage resources: the bulk and main appearances of the buildings were already approved, and will not change. The buildings are considered to be entirely consistent with the heritage character of the Bo-Kaap (for example, refer to Ella Street elevation, below).



The buildings are considered to be highly sympathetic and in character with the HPOZ. They are, ironically, considered to be even *more* sensitive, sympathetic and in character with the typical Bo-Kaap architecture and aesthetics, compared to a large number of the other dwellings and buildings within the area (both within the immediate and wider area). In other words, the hotel buildings are considered to be more attractive and desirable in this HPOZ compared to many other existing buildings in the area (refer to photos of examples of such buildings, on pages 18 -19, 25 -26, above).

All the buildings on the subject erven are newly built (circa 2018 and afterwards), and they have no heritage value (the building on Erf 178329 is a total re-build of the original Noon Gun tea room, of which there is, for all intents and purposes, nothing left).

Not surprisingly therefore, none of the subject erven are graded (they are identified as being “non-conservation worthy” on the heritage layer of the Council’s map viewer (see extract below). In addition, except for the Signal Hill precinct which abuts the hotel to the north which has a Provincial Heritage Site grading, most of the erven in the vicinity of the hotel also has a “non-conservation worthy” grading (refer to map below). In terms of Provincial Gazette (dated 1 April 2025 – copy attached), any property which has the above-mentioned status (i.e. non-conservation worthy), no longer requires a Section 34 permit (with respect to the National Heritage Resources Act – “NHRA”).



Extract from Council's map viewer with heritage layer indicating the "non conservation worthy" status of the erven

Although the proposed area to be rezoned is only approximately 5000m² (and thus less than 10 000m²) but concerns 3 or more erven, the fact that the proposed rezoning and consolidation will not change the character of the "site" means that Section 38 of the NHRA also does not apply (confirmed by a heritage consultant as mentioned earlier).

With regard to the land use (hotel) – including the proposed change in "use" from residential to hotel, the proposal is not considered to have any material impact on the HPOZ for *inter alia* the following reasons:

- The proposed hotel is *in essence* still a "residential" use (with the only difference being that the accommodation is paid for).
- Hotels, guesthouses, bed and breakfasts etc. are compatible land uses with traditional (single) dwelling uses and in most cases they co-exist in perfect harmony. There are many examples of "hotels" which operate seamlessly in residential areas e.g. the Andros/Claremont Boutique Hotel (Rem/Erf 56309 in Claremont, on corner of Newlands Avenue/Paradise View Road), the Ellerman Hotel (mainly on Erf 933 in Kloof Road, Bantry Bay), the Cellers Hohenhort Hotel (Rem/Erf 377 in Peter Cloet Avenue, Constantia), etc.:



Aerial photo and zoning map of "Andros/Claremont Boutique Hotel" within residential area



Aerial photo and zoning map of “Ellerman House (Hotel)” within residential area



Aerial photo and zoning map of “Cellers Hohenhort Hotel” within residential area

- The Bo-Kaap is relatively mixed in terms of land uses: schools, shops, restaurants, a public market, flats, mosques, and a number of accommodation establishments are prevalent throughout, including in the immediate vicinity of the Hotel. For example, the Bo-Kaap Kombuis operates from Erf 651 (7 Augustus Street), while a number of tourist activities accommodation establishments exist, e.g. a guesthouse (28 guests; Rem/Erf 648 at 6A Augustus Street), Bo-Kaap backpackers (Rem/Erf 662 at 5 Carl Street); Signal Hill Lodge (Erf 9796 at 29 Military Road), etc.
- All these uses have had no negative impact on the HPOZ character of the Bo-Kaap; on the contrary, these uses are deemed to have strengthened the vibrant nature, increased the attraction, and improved the sustainability, of the Bo-Kaap.
- The Dorp Hotel has significantly improved the visual appearance of the area and in doing so – rejuvenated the urban landscape; the former undeveloped nature of the subject has been a blight on the urban landscape for many years (refer to the photo below of the original state of these erven), and which posed considerable risks with regard to anti-social behaviour (e.g. illegal squatting, drug trafficking, illegal dumping, criminal behaviour, etc). There can be little doubt that the development of the erven and the use thereof for the hotel had an invaluable and positive impact on the HPOZ.



Aerial photo of the original state of the subject erven (circa 2015)

- Both the physical development of the erven *and* the use of them for hotel purposes are considered to have positive impacts on the HPOZ from a visual, property value, tourism, economic, aesthetic, heritage, and general enjoyment of an improved urban environment point of view. Put differently, it is not considered to have had any negative impacts on the HPOZ.
- As indicated elsewhere in this report, the proposal is also not believed to have any other – or future, impacts, given that conditions of approval are proposed to be imposed which may relate to, *inter alia*, that the development be in accordance with the SDP, that the number of guestrooms be limited to the current number, that the restaurant be limited in size/number of seats and opening hours, etc. In addition, the HPOZ status of the area means that no change in land use or other building work is permitted without Council's approval. This in itself will ensure the continuing protection of the HPOZ.

(f) Impact on biophysical environment

There will be no impact on the biophysical environment; no trees or other existing vegetation will be removed. No new building work is proposed and there are thus no activities which will trigger an application in terms of the NEMA EIA regulations.

On the contrary, the proposal will have a positive impact on the environment because "Signal Close" – the internal "road", was never used for vehicle access or parking, but instead was heavily landscaped (including trees which are now mature). These trees and garden space will be retained; in fact, it is critical that this centrally located landscaped and treed portion of the hotel grounds be retained in order to ensure the desirable ambience and attractive qualities of the hotel for the guests. The retention of these trees of course benefits the environment.

(g) Traffic, Transport, Parking and Access

The proposal is not believed to have any material impact on traffic, parking and access for the following reasons:

- The parking departure relates to a shortfall of only 5 parking bays for the hotel (17 on-site bays are provided in lieu of 22 bays required). The restaurant, measuring 150m² in extent, requires 6 parking bays. The overall shortfall in parking is thus only 11 bays, which is considered to be a relatively low number, and which is not believed to have a material impact on the area or on parking in general in the area, for the reasons mentioned below.
- A further 17 parking spaces are effectively available along Ella and Longmarket Streets on or partially on the hotel premises. These bays are not however compliant given that they are not entirely on the erf but instead straddle the street boundaries. They are, however, practical, accessible, and informally used.
- In reality therefore, 34 parking bays are available for the use of hotel guests and restaurant patrons, and which exceeds the requirement of 28 bays for the hotel and restaurant (in terms of the DMS).
- It must also be remembered that many of the restaurant guests will also be hotel guests, and who will simply walk from their rooms to the restaurant. The available parking will thus operate on a “shared basis” as acknowledged by the DMS for ancillary uses to a hotel, and which are open to the public.
- The site is in a PT1 Area and within walking distance of the City centre with its many employment opportunities, numerous tourist destination places, and ample public transport facilities.
- The proposal is consistent with the principles of the TOD.
- Approximately a low 30% of the guests make use of private/rental cars. The rest make use of public transport (i.e. e-hail services).
- The Hotel also has a dedicated kombi to transport guests to and from the hotel, as required. A small golf cart also scuttles guests and luggage between Onder Dorp and Bo Dorp (refer to photo below).



- No loading bay is required. Item 144(1) of the DMS does not require the provision of loading bays for “business premises between 0 – 1000m² of floor space. The restaurant (a “business premises”), at 150m², therefore does not need a dedicated loading bay. Suffice to say that deliveries do take place on the site (on Erf 178329), below the kitchens.
- Cars will reverse into the streets which requires a departure; however, it is not believed that there will be any material impact on road safety or traffic for the following reasons:
 - Both Ella and Longmarket Streets are culs-de-sac which means that there is no through-traffic. Accordingly, the roads carry relatively little vehicular and pedestrian traffic.
 - The Ella Street road reserve measures 12.3m wide and has sidewalks on both sides of the street. The sidewalk along the hotel (i.e. on the north-western side of the street) is very wide (4.4m in width between the kerb and the street boundary) – see below.
 - Cars can therefore park very comfortably off-street, and reverse, so that there is no impact on traffic flow.



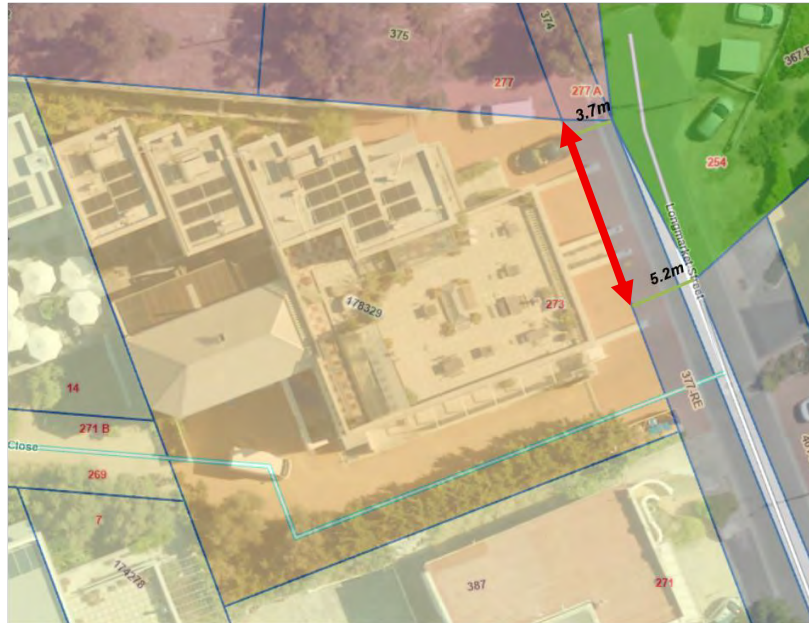
Off-street parking in Ella Street

- The Longmarket Street road reserve measures approximately 12.2m in width, alongside the southern (lower) section of the Erf 178329 street boundary where the main driveway onto this erf is situated (portion identified by the red arrow, below). This section of Longmarket Street is zoned TR2.



Off-street parking in Longmarket Street

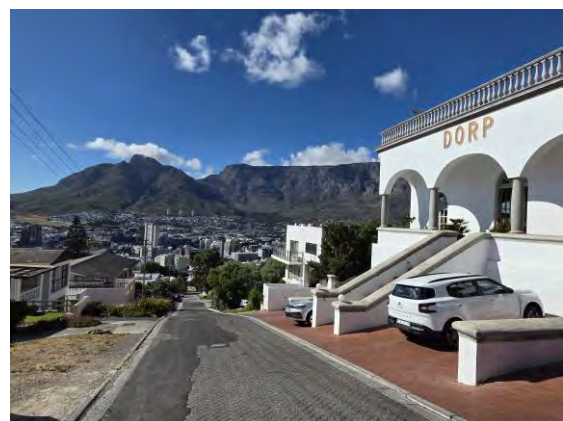
- The northern (upper) section of this erf's street boundary abuts a road reserve (TR2-zoned) which varies in width from 5.2m to 3.7m (see red arrow below). Some of the non-compliant parking bays take access from this narrower TR2-zoned road reserve. However, a large part of the actual road (driving surface) is constructed over an Open Space 2-zoned property (see below). So, although the theoretical road reserve (i.e. the TR2 portion) reduces in width towards the north, from a practical point of view the actual street remains as it is (same width as the rest of (lower) Longmarket Street). The entire road is unencumbered and are used by vehicles in a normal manner.



- Both streets are straight and have excellent sight distances into both directions.



Ella Street looking west



Longmarket Street looking east

- Traffic in these streets generally tend to move at slow speeds.
- The CWC for the parking bays along Ella Street and closest to the intersection with Longmarket Street is approximately 12m from the prolongation of the two street boundaries (and complies with the required distance of 10m).
- Reversing into these roads is therefore not believed to have any impact on traffic or pedestrian movement. also poses no traffic safety risk.
- For the same reasons mentioned above:
 - The proposed carriageway crossings (CWC) are not believed to have any undue impact on vehicle and pedestrian movement. Two CWCs are permitted in Ella Street and both are more than 12m apart, as required. The one CWC – closest to Longmarket Street, is existing and measures 28.6m in width. Since the Longmarket Street boundary is approximately 26m wide, only one CWC is permitted. The two CWCs in this street are approximately 12.6m apart, and the southern-most CWC measures approximately 9.1m in width.

For the reasons mentioned above, it is not believed that the departures relating to the number and width of the CWCs (where applicable) will have any material impact on road safety, traffic flow, or pedestrian movement.

- The access to the site (for some of the non-compliant parking bays along the upper section of Longmarket Street) from a road reserve less than 9m in width, is also not believed to have any material impact (those are not formally recognized parking bays and the actual road is wider than 9m).
- The property is situated directly on Longmarket Street, which is an identified major pedestrian link between the Bo-Kaap and the City Bowl.
- The Traffic Impact Statement by **Motion Consulting Engineers** is being finalised and will be submitted to the Council as soon as it is available.

(h) Mitigation

Notwithstanding the fact that the site is situated in an HPOZ where any further and/or future developments will automatically require a land use application, in order to mitigate any potential adverse impact of the proposed land use, it is proposed that reasonable restrictions be imposed as conditions of approval, e.g.:

- That the use of the consolidated property, including access and parking, be in accordance with the proposed SDP.
- That the number of bedrooms used for hotel purposes be restricted to 43 bedrooms.
- That the restaurant be restricted in size to 150m² and a maximum number of seats of 40.
- That the operating hours of the restaurant for general public use be restricted to 22:00 (weekdays and Sundays) and 23:00 (on Saturdays and public holidays); these times relate to when restaurant patrons should leave the premises.
- That a minimum of 17 on-site parking bays be provided.
- That the Palm and Games Rooms not be available for or used by the general public but for hotel guests only.

Desirability regarding the deletion and amendment of previous conditions of approval

The proposal to delete and amend, as the case may be, of various previous conditions of approval (as set out and referred to in paragraph 1.7 of the list of land use applications, above), are considered desirable (and necessary) for the following reasons:

- Conditions 1.35 & 1.36 refer to the HOA which was required at the time, but which never materialised, and also which is no longer relevant or required (especially given that there is only one owner and a proposed hotel – no longer any potential individual home owners). These conditions are therefore obsolete and irrelevant and should be deleted.
- Condition 1.38 refers to a specific list of erven and a specific Site Development Plan (SDP). Given the proposed consolidation, land use and amended SDP, this condition must be amended to include all the erven and to the new (proposed) SDP.

- Condition 2.2 refers to a “boarding house with 7 bedrooms only”; this condition is considered obsolete and irrelevant in the context of the proposal (i.e. the “hotel”), and should accordingly be deleted.
- Condition 2.3 refers to the development of the erven to be generally in accordance with a certain notional set of plans; all the erven have now been developed and it no longer makes sense to retain this condition (which is outdated and irrelevant). The amendments which were made to portions of the various buildings on the various erven (as explained elsewhere) are included on the proposed SDP, and with the proposed SDP being accommodated in terms of amended conditions of approval (e.g. Condition 1.38 as per the above). This condition can therefore be deleted.
- Condition 2.5 refers to the HOA which is irrelevant and obsolete; it should therefore be deleted.
- Condition 2.6 refers to the notarial tie of certain erven for parking purposes; given the proposed consolidation of all the erven into one erf this condition is no longer relevant and is obsolete, and should be deleted.
- Condition 2.9 refers to electrical services in the private road (Erf 174270); this erf is proposed to be consolidated with all the other erven and this “internal road” will therefore effectively disappear; the portion of land will merely become part of the larger erf (as part of the garden). The continuation of this condition is therefore obsolete and irrelevant and it should be deleted.
- Condition 3.1 refers, in toto, to the HOA, which, as has been shown, is not in existence nor is it required or relevant, and as such this condition should be deleted.
- Condition 3.7 refers to a contour plan and existing ground levels (EGLs) in terms of former zoning scheme regulations and which applied at the time (2017); that zoning scheme has since been repealed and replaced by the DMS, as amended, which contains an entirely different set of EGL. The condition is outdated and irrelevant and should be deleted.

(e) Impact on existing rights

It is not believed that the application will have any material impact on existing rights, as explained below.

❖ *Consolidation:*

The proposed consolidation will not have any impact whatsoever on the physical appearance of the existing buildings or on the area as the buildings will remain as they are. The consolidation is not an attempt to acquire additional rights, but is solely required to enable the more effective functioning of the hotel which is currently spread over the individual properties. The consolidation will also address the parking provision which would otherwise have required notarial ties between the erven.

Given that the properties are situated in a HPOZ and that a condition of approval is proposed to tie the development/land use to the SDP, the consolidation will not lead to, or enable, any other (or larger) development than what is currently existing and proposed.

The issue of the “massing model” will be further discussed below.

❖ *Rezoning and consent to permit a hotel (including the public restaurant):*

The proposal is merely to regularise the existing land use which has been in operation for a number of years already, and without any apparent impact on the area. No notices have been issued by Council and neither this office nor the hotel management is aware of any formal complaints from the community (there was some unhappiness at one stage about the serving of liquor but that has been addressed, and besides, the granting or not of liquor licence is not a planning matter and falls outside the scope of this submission).

It is noted that the proposed GR2 zoning has a floor factor of 1.0, which is the same as the floor factor of the existing R1-zoned erven (as well as the existing GR2-zoned Erf 178329).

It is considered relevant to note that the dwellings on the fourteen (14) R1-zoned erven (i.e. Erven 174271 – 174284; Erf 174270 is the internal “road” and has no buildings on it) are permitted, in terms of existing rights, to be occupied/used by a maximum of 5 transient guests (a total of 70 persons). Erf 178329 (zoned GR2) has the right for a 7-bedroom boarding house (total of 14 guests), plus a 148m² “cafeteria hall” (51 seats) as per the approved building plans (Approval number 97544786; Application number 70396043). This means that up to 84 occupants (guests and residents) could be present on the respective erven at any given time, as of right (not including the patrons of the cafeteria hall).



Extract from approved building plan indicating the lower level of the boarding house and the cafeteria hall (red arrow)

The proposed (existing) 43-room hotel could host 86 guests if fully booked. This is consistent with the number of persons which could be present on the site (as a whole), as of right. The restaurant (at 150m² in extent and with 40 seats) is also consistent with the size of and has less seats compared to the approved cafeteria hall.

The hotel is and has always been co-existing in harmony with the surrounding area. It is considered to be compatible with the Bo-Kaap from a massing, aesthetic, scale and land use perspective, in a highly desirable area which is popular with tourists, and in close proximity to the City centre. Indeed, the Dorp Hotel has established itself as a sought-after and well-respected hospitality facility, as testified by a large number of guests, leading tourism-orientated organisations, and local and international magazines, *inter alia* the Financial Times,

The Telegraph, VISI, etc. (refer to extracts of reviews below, with a comprehensive list attached):



Local Guide • 15 reviews • 5 photos

5 stars

6 weeks ago

Holiday • Family

Even though my husband and I are local Capetownians, our stay at the Dorp felt like discovering a secret part of Cape Town we'd somehow missed. Every aspect is so beautifully and thoughtfully considered; from the stunningly curated interiors, to the genuinely warm service and exceptional food.

The Dorp is the kind of place that feels effortlessly luxurious. Every detail has been thought through with care, creating an atmosphere that's refined yet entirely unpretentious - a difficult balance to achieve.

While the entire Dorp team is fantastic, I'd like to add a special thanks to Bernadette, who welcomed us to our room and showed us the fabulous grounds and amenities. I would be remiss not to mention that our dinner service from Chanell was outstanding - she is attentive but not intrusive, professional as well as friendly, and she truly added such a fun element to our evening.

We can't wait to return!



9 reviews • 4 photos

5 stars

15 weeks ago

The Dorp is an eclectic boutique hotel in a great location in the Bo-Kaap neighborhood. Our experience was outstanding. It's a beautiful, well maintained property. Our room was in a building that looks old-fashioned but is actually quite new. Views of Table Mountain from our room were exhilarating, especially early in the morning as the sun arises and at night when the mountain is lit up. Don't miss the views from the rooftop patio! The restaurant is excellent. The dining room is stunning and the quality of food and cooking is superb.

Most importantly, the service is exceptional! All of the staff are exceedingly friendly, accommodating and highly competent. They go out of their way to please. For example, we returned one evening from a restaurant and realized my wife had left her phone behind. Ryan, the restaurant manager, insisted on driving to the restaurant to retrieve her phone.

Our friends recommended The Dorp Hotel to us and we do so unreservedly to anyone visiting Cape Town.



Local Guide • 155 reviews • 1549 photos

5 stars

33 weeks ago

Holiday • Solo

Staying at DORP is not just a hotel experience—it's a feeling. Every corner of the property reflects an extraordinary attention to detail, from the cloud-like comfort of the beds to the thoughtfully curated spaces that feel both luxurious and personal. The food is simply phenomenal, with flavors that feel home-cooked yet refined.

The staff are warm, genuine, and always eager to help making you feel right at home with a smile. There's a kind of magic in how everything is designed to make you feel deeply cared for.

Rooms: 5/5 **Service:** 5/5 **Location:** 5/5

Hotel highlights
Luxury, Great view, Romantic, Quiet



New York City, New York • 44 contributions • 71 helpful votes



Review from 10 Oct 2025

An enchanting stay in a unique property.

My partner and I stayed at Dorp in September for 6 days to kick off a 3 week trip in Southern Africa. What an amazing starting point. I found Dorp through online research and knew we were in for a treat but nothing prepared us for the amazing experience we had not just because of the unique design and decor but also the staff, the view of Table Mountain, the food and just an atmosphere that is hard to describe unless you live it. We really did not want to leave and tried to enjoy as much time as we could at the property. We chose a pricier room with a balcony and a direct view of Table Mountain but it was worth every penny. The hotel is located on a steep hill overlooking the historic Malay neighbourhood but the property is a worthwhile trade off for walkability. The hotel is still a few minutes away to most attractions by Uber or taxi. Uber is very convenient in Cape Town

[Select as favourite](#)

[Report Review](#)

[How to Respond: Top Tips](#)



5 contributions



Review from 26 Oct 2025

Quirky Wonderful Oasis

Amazing 5 night stay early October. Great lounge/dining area, amazing roof top seating area giving fantastic views across Cape Town. Our room was quirky but lovely, such a comfortable bed, it wasn't that warm when we arrived and the evening turn down service switched on the electric blanket, heaven! Best nights sleep I'd had in a long time. A bottle of bubbles welcomed us as it was my birthday while we were away, thank you. Great choices for breakfast. Evening menu was limited but we'd eaten big meals during the day so only needed something light in the evening, the food we had was great. Would highly recommend The Dorp.

Value

Rooms

Location

Cleanliness

Service

Sleep Quality

[Select as favourite](#)

[Report Review](#)

[How to Respond: Top Tips](#)

Dorp, Cape Town



Cape Town's Dorp hotel © Claire Gunn

More than just a place of lodging, but a dorp (meaning “village” in Afrikaans) for creatives and oddballs where ideas are born and neighbourliness dominates on the terrace. It is all topped off with the most spectacular views of Cape Town and Table Mountain.

[Website](#); [Directions](#)

— Adriaan Louw, lawyer, Frankfurt, Germany

Extract from the Financial Times

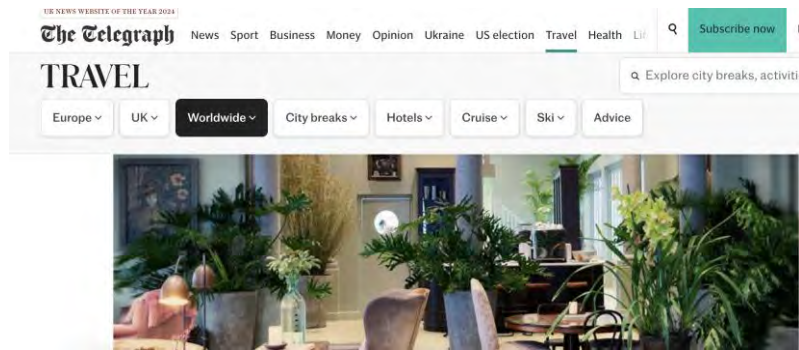
Dorp Hotel in Cape Town

For a different vibe (they are self-described ‘oddballs’), book yourself into [Dorp Hotel](#) (dorp means ‘village’). The Dorp Hotel is a delightful compound of buildings clustered around a magnificent garden. Each room is charmingly eclectic. Its larger suites are available with kitchens and cozy fireplaces. With spectacular mountain views, try to score a room where your tub overlooks the mighty Table Mountain. Their in-house restaurant, The Salon, serves simple, homestyle dishes that guests rave about. It’s packed with bookshelves, plants, rugs and plush sofas, with arched windows overlooking the city’s twinkling lights.

Extract from the SUCCESS magazine



Extract from the INSIDE GUIDE magazine



Extract from The Telegraph

The above has also been comprehensively addressed under the heading “*Compatibility with surrounding uses*” from page 24 onwards.

❖ *City approval:*

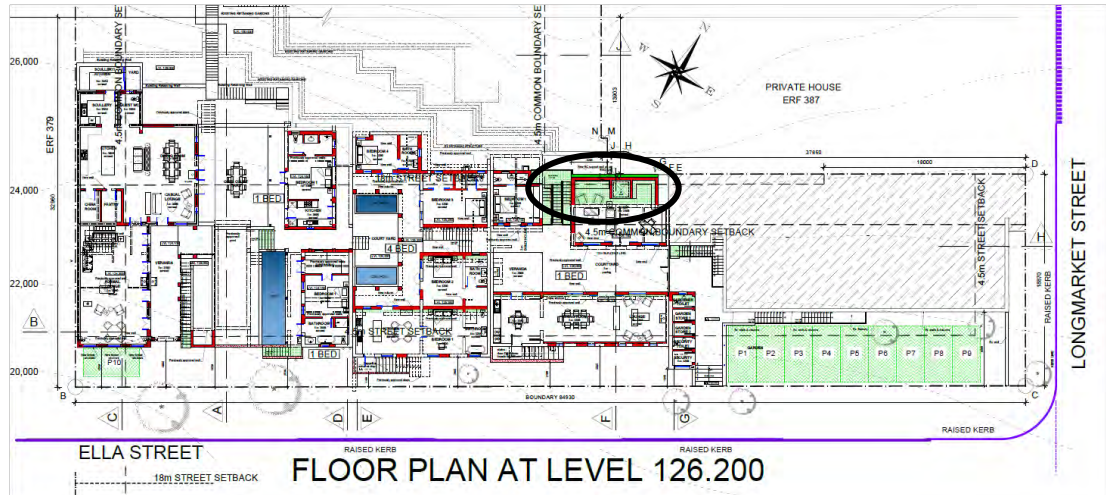
City approval is required in terms of the heritage provisions, to permit the consolidation, land use change (to hotel, although already in operation), and regularisation of minor portions of the buildings within the Bo-Kaap HPOZ. Given that there is no change to the status quo of the properties (including the land use) there is no impact from a heritage perspective. The properties and land use have been shown to be sensitive and compatible with the surrounding HPOZ.

❖ *Common & street boundary building line departures:*

As mentioned, the proposal is to regularise the existing buildings, and therefore no new building work is proposed (within the building lines). The proposed departures are primarily a function of the proposed change in zoning of the erven, with the proposed GR2 zoning having a different set of development rules compared to that of the R1-zoned properties.

It is noted that a large number of the erven in the area have been improved with buildings contravening the development rules of the respective zonings. The subject site is therefore in character with the surrounding built environment.

The proposed departures which apply to an unauthorised addition to a portion of one of the buildings along Ella Street relate to a minor portion of the building just beyond 18m from the street boundary (the erf measures approximately 18.9m in depth from this street boundary) - see below. This portion of the building has no windows facing the abutting neighbour (Erf 387) and it abuts an unused/un-developed part of that property. Given the minor nature of the departure (it relates to a distance of approximately 0.9m, which is the distance beyond 18m from the street boundary) and orientation of the respective properties in relation to each other, there is no impact on Erf 387 as a result of this proposed departure.



Extract of ground floor/1st storey plan with portions of building affected by the setback departure in colour.



Oblique view from the north-west. Note the minor portion of building which requires the rear boundary setback departure

❖ *Coverage departure:*

The coverage is approximately 37% which is considerably less than the permitted coverage of 60%. There is no departure in this regard.

(f) *Consolidation*

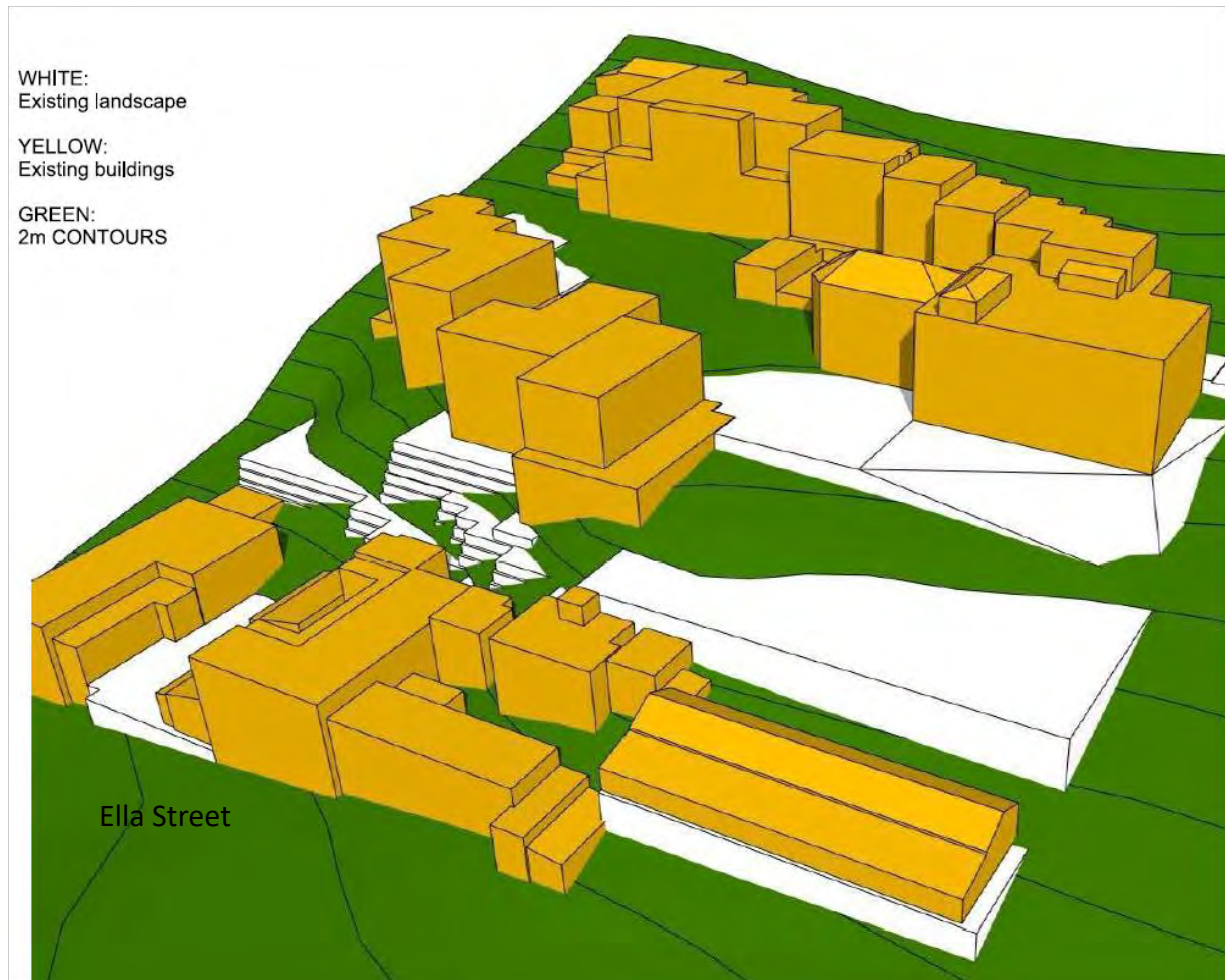
In terms of sub-section (f) an application for consolidation must consider:

- (i) the scale and design of the development;
- (ii) the impact of the building massing; and
- (iii) the impact on surrounding properties.

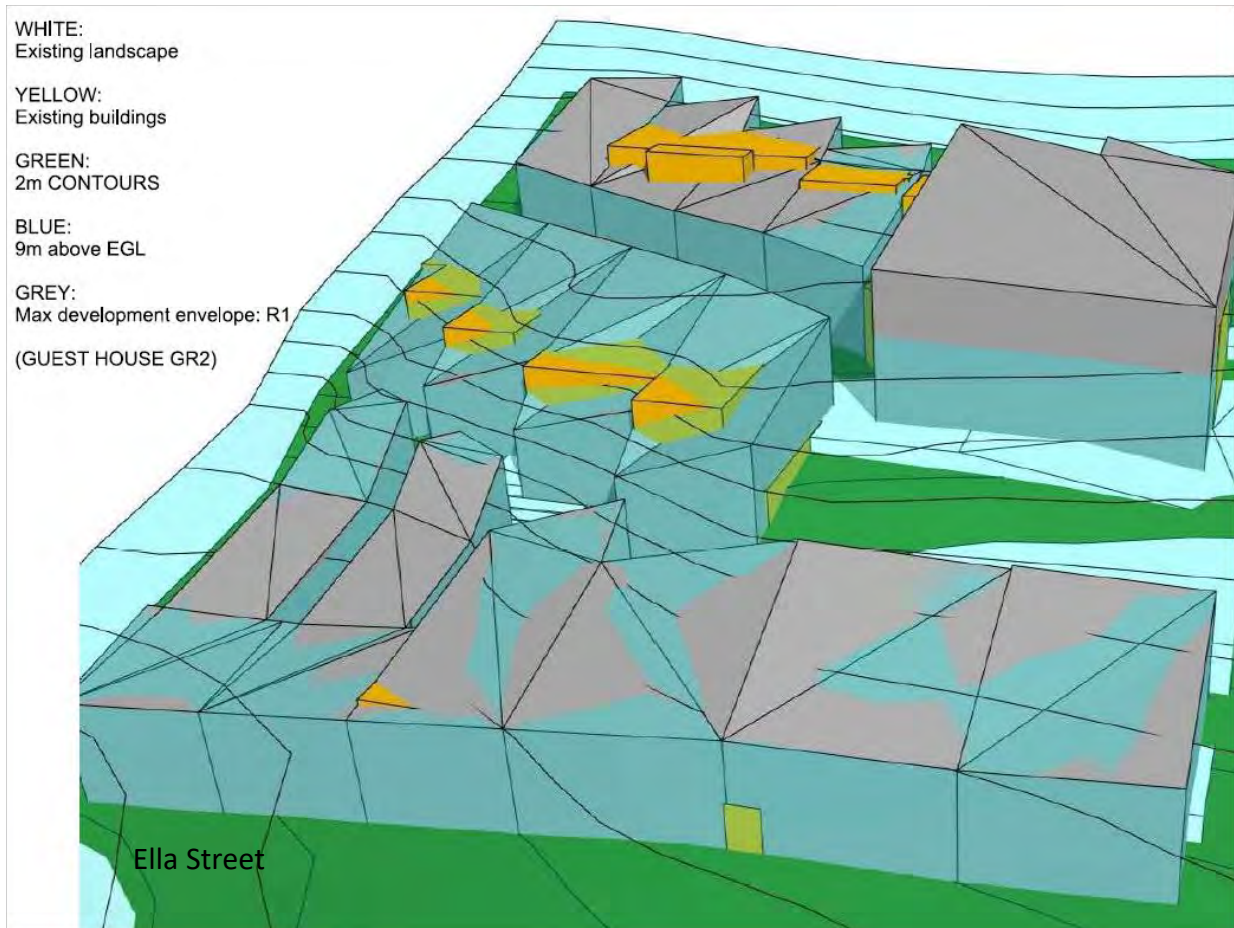
The massing diagrams form part of the SDP, refer to the extracts.

As mentioned earlier, there will be no change whatsoever to the existing properties (including the buildings and land use) as a result of the proposed consolidation. It is solely for the purposes of enabling the optimum functioning and improved integration of the hotel with respect to fire regulations, shared parking (without the need for a notarial tie), elimination of internal cadastral boundaries, etc. The proposed consolidation is not to acquire additional development rights (none such rights will flow from the consolidation), it and will not lead or enable further “uncontrolled” development.

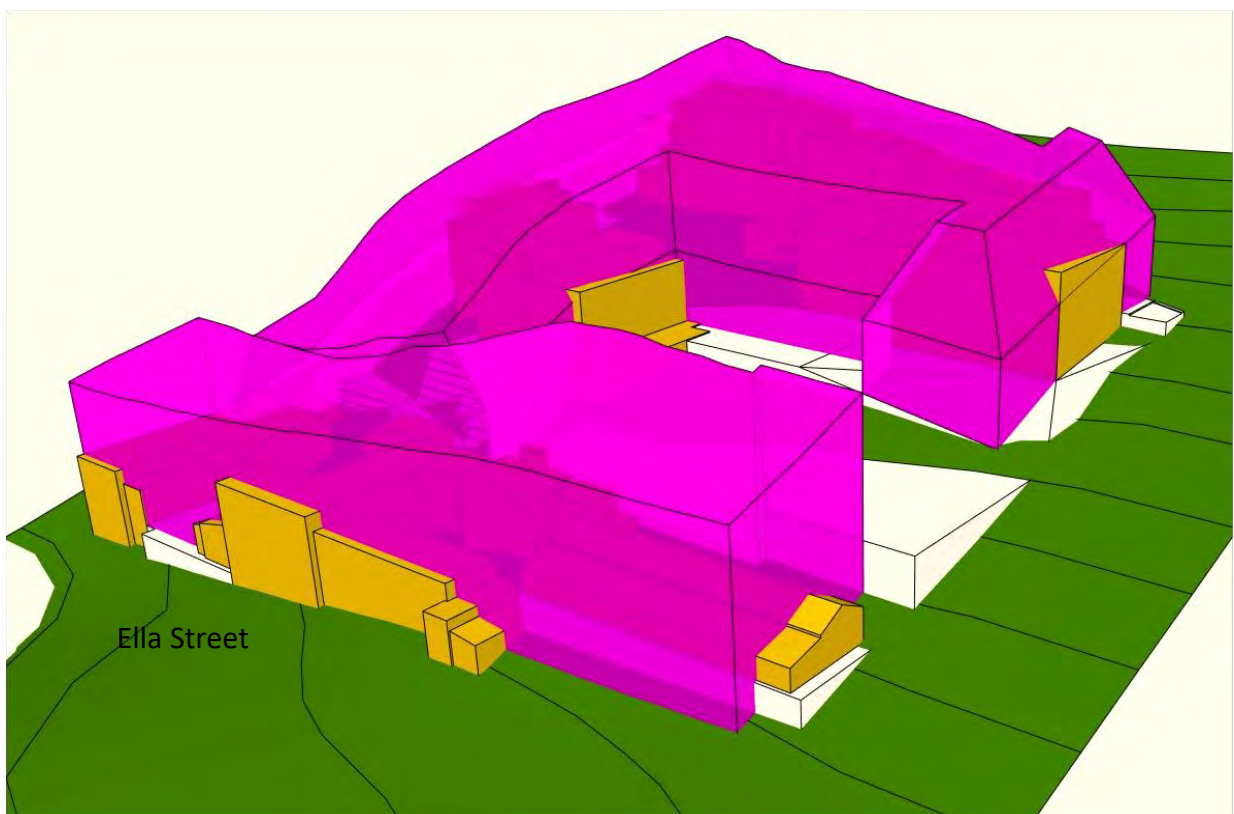
The images below show (a) the existing built form of the existing buildings (with respective R1 and GR2 zonings), and (b) the comparison between the existing permissible rights (R1 and GR2 envelopes on the existing (individual) erven), and the permissible GR2 envelope that could be achieved on the consolidated site (and with the proposed rezoning).



Architect's render of the envelopes of the existing buildings (separate erven, current zoning)



Architect's renders of the permitted building envelopes (**separate** erven, current zoning).



Architect's renders of the permitted building envelopes (**consolidated** erf, proposed GR2 zoning).

The images below effectively demonstrate the difference between the existing properties (separate properties) vs. the impact (visually and physically) of a consolidated site. It will be

noted that the two images are exactly the same, which is entirely correct given that there will be no change as a result of the consolidation, as motivated.



Erven as individual land units



Massing image of consolidated erven

In terms of Section 99(2)(f), it is clear that:

- The scale and design (of the premises) will not change at all from what it is presently (which respects the urban grain, architecture, character and heritage integrity of the surrounding area already).
- Theoretically, the scale and height of a development on a consolidated site (and with the proposed GR2 zoning) would be larger than what is currently permitted on the individual erven in terms of existing rights (R1 zoning); however, the HPOZ status of the area and the proposed imposition of a condition of approval linking the land use to a particular SDP, will prevent any uncontrolled future taking up of such “rights” (any further proposal will require a new HPOZ application which will ensure that a sympathetic and measured approach is followed).

It must be stressed that the current R1-zoned, individual erven (which are all smaller than 650m², and some even smaller than 350m²) will, for all intents and purposes, largely have the same impact with respect to permitted building footprints, building lines, and floor space, when compared to a consolidated and GR2-zoned site).

- It is highly unlikely that any future proposal to fully utilise such GR2-zoned development rights and based on a consolidated site, will be successful given the heritage sensitivity of the area.

(g) Relevant National or Provincial Legislation

The applications comply with all other National and Provincial legislation. The proposal is consistent with Sections 59 & 39(5) of LUPA & Sections 7 & 47 of SPLUMA:

Sections 59 of LUPA & 7 of SPLUMA

- The proposal represents the intensification of land use in a highly contextually appropriate location (i.e. in the inner-City) which
 - create a more spatially compact city,

- is resource-frugal and within the fiscal, institutional and administrative means of the competent authority,
 - results in communities that are viable,
 - protects the environment by having regard to the provincial heritage and tourism resources, and
 - the economic potential of the area (the principle of spatial sustainability).
- The proposal optimises the
 - optimum use of existing resources and infrastructure,
 - integrate the city socially and economically,
 - ensures the availability of residential and employment opportunities in close proximity to, or integrated with, each other,
 - and promote a diverse combination of land uses (the principle of efficiency).
 - The proposal, if approved, will comply with the principle of spatial resilience whereby flexibility in spatial plans, policy and land use management systems is accommodated to ensure sustainable livelihoods in communities most likely to suffer the impact of economic (and environmental shocks).
 - The processing of the application at the hand of the prescribed processes and in terms of applicable law, represents the principle of good administration.

Section 39(5) of LUPA

- (a) the financial or other value of the rights in terms of the restrictive condition enjoyed by a person or entity, irrespective of whether these rights are personal or vest in the person as the owner of a dominant tenement;

There are no beneficiaries of these conditions. No impact.

- (b) the personal benefits which accrue to the holder of rights in terms of the restrictive condition;

There are no beneficiaries of these conditions. No impact.

- (c) the personal benefits which will accrue to the person seeking the removal, suspension or amendment of the restrictive condition if it is removed, suspended or amended;

Given that the conditions are entirely redundant, serve no function, and do not benefit the relevant property owner, there are no personal benefits for the person seeking the removal (apart from removing redundant conditions from the relevant title deeds). No impact.

- (d) the social benefit of the restrictive condition remaining in place in its existing form;
-

No impact.

- (e) the social benefit of the removal, suspension or amendment of the restrictive condition; and

No impact.

- (f) whether the removal, suspension or amendment of the restrictive condition will completely remove all rights enjoyed by the beneficiary or only some of those rights.

The relevant and redundant conditions will be removed. No impact however as there are no beneficiaries of these conditions.

Section 47 of SPLUMA

The proposal is considered to be consistent with Section 25 of the Constitution and SPLUMA. Due process will be following in the processing and evaluation of the proposal, and no arbitrary decision will be made. The proposal is constitutional. However, as pointed out above, there are no beneficiaries of these conditions which merely relate to the fact that an HOA was meant to have been established in the event that the erven were developed and used for single residential purposes, which never materialised. In the event, no person will be affected or deprived of any rights or their property, either as part of the process or as a result of a positive decision.

5 CONCLUSION

The desirability of the existing Hotel has been thoroughly demonstrated above. It is one of Cape Town's highly popular, well-known, loved – and unique, hospitality facilities. The Hotel plays an important role in the tourism sector of Cape Town to help promote it as a sought-after tourism destination, and contributes significantly to the city's and the Western Cape's economies.

The operation of the Hotel is consistent with a number of the Council's Policies (such as the MSDF, the IDP, the Inclusive Economic Growth Strategy, and the Social Development Strategy) and their objectives (e.g. encouraging business development, enabling an environment for inclusive economic growth, job creation, promoting more intense land use, facilitating more efficient use of resources, promoting mixed-use intensification which in turn helps to regenerate and improve the public realm).

It provides a relatively large number of employment opportunities (75 staff members).

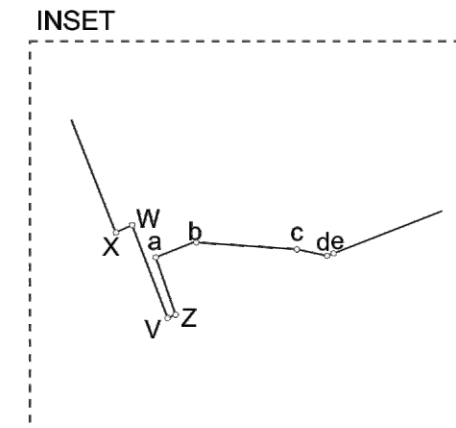
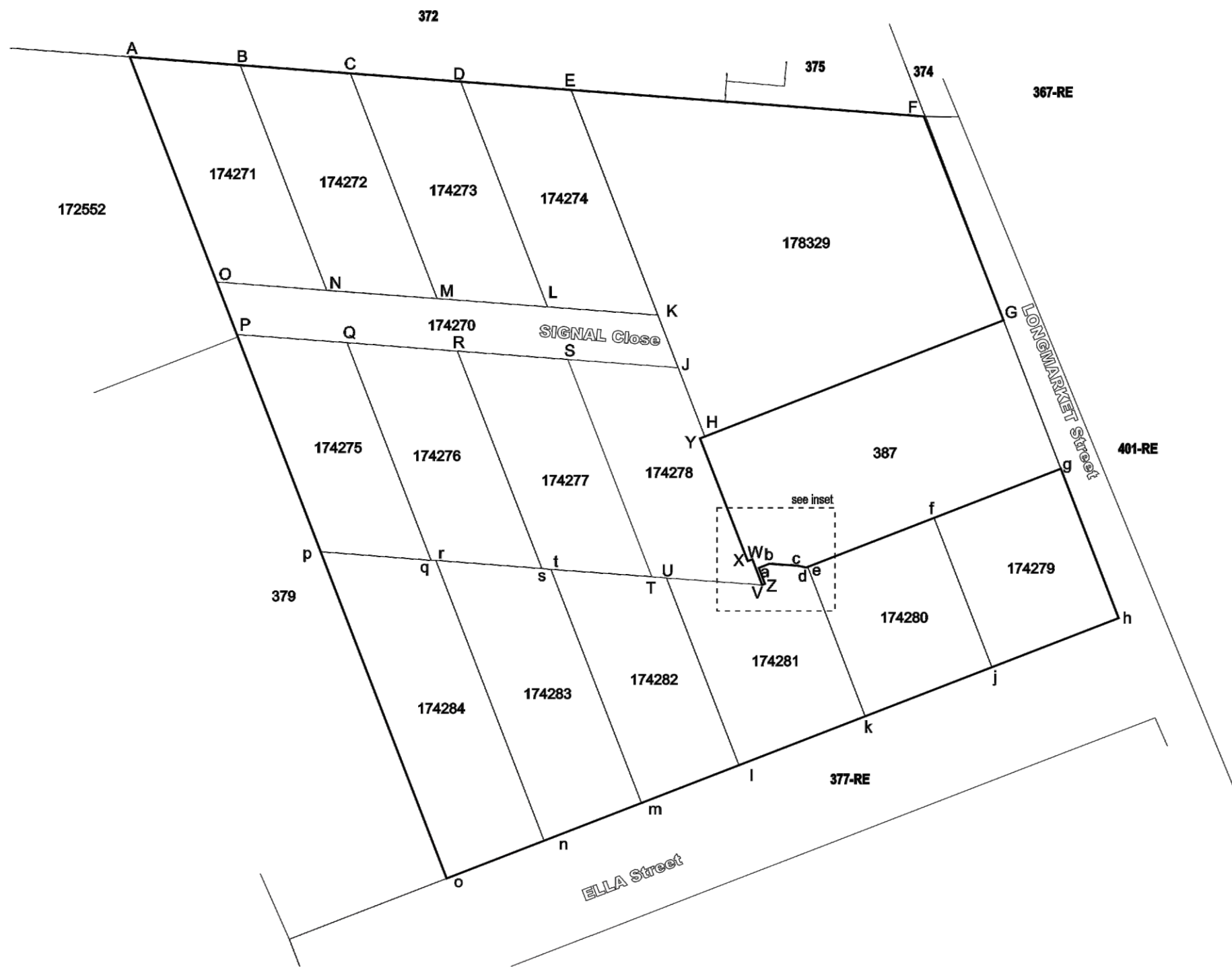
The Hotel is situated in a highly desirable and contextually appropriate location, within easy reach of the City and a large number of destination places.

The proposal is not believed to have any material impact on the surrounding area; on the contrary, it is considered to be entirely compatible with the surrounding land uses and character of the area – including from a visual appearance perspective. There is no material – if any – impact on the heritage character of the area, which is HPOZ.

It is not believed that there is any material impact on existing rights.

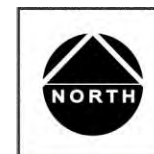
The application satisfies the applicable adjudication criteria contained in Section 99 of the By-Law, and as such, Council is urged to **approve** the application.

TOMMY BRUMMER TOWN PLANNERS



**PROPOSED CONSOLIDATION:
ERVEN 174270 - 174284 & 178329 LONGMARKET & ELLA STREETS
BO-KAAP, CAPE TOWN**

APPLICANT: Tommy Brümmer Town Planners
EXISTING ZONING: Residential Zoning R1
SCALE: 1:600



**November 2025
Version 1
Project 9836**

NOTES:

Figure OKJP represents Erf 174270 = 313 m²
Figure ABNO represents Erf 174271 = 335 m²
Figure BCMN represents Erf 174272 = 335 m²
Figure CDLM represents Erf 174273 = 335 m²
Figure DEKL represents Erf 174274 = 336 m²
Figure PQqp represents Erf 174275 = 323 m²
Figure QRsq represents Erf 174276 = 323 m²
Figure RSTs represents Erf 174277 = 323 m²
*Figure SJHYXWVT represents Erf Rem-174278 = 314 m²
Figure fghj represents Erf 174279 = 302 m²
Figure efjk represents Erf 174280 = 301 m²
*Figure UVZabcdekl represents Erf 174281 = 333 m²
Figure tUlm represents Erf 174282 = 328 m²
Figure rtmn represents Erf 174283 = 400 m²
Figure prno represents Erf 174284 = 472 m²
Figure EFGH represents Erf 178329 = 1314 m²
Figure AFGYXWVZabcdegho represent Consolidated Erf = 6387 m²

All dimensions are approximate and to be confirmed through final survey
All new services to be re-designed to Council's satisfaction.

*NOTE: SG diagrams for boundary adjustments to be approved by SG Office