



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500161170

**Remainder Erf 116, 180 Main Road,
Sea Point**

Development Management

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28-07-2026

Rev E

Erf 416-RE

**The Director: Planning & Building Development Management
City of Cape Town
Table Bay District Administration
Cape Town
8000**

Attention: Mr Paul Heydenrych

Dear Sir

APPLICATION FOR REZONING AND PERMANENT DEPARTURES FROM THE DEVELOPMENT MANAGEMENT SCHEME IN TERMS OF THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY-LAW, 2025: ERF 416-RE, CAPE TOWN AT 180 MAIN ROAD, SEA POINT WEST, CAPE TOWN.

1. INTRODUCTION

1.1. Planning application and proposal

- 1.1.1 Application is made for the rezoning of the site and for permanent departures from the Development Management Scheme (DMS) relating to street boundary building lines setbacks, maximum floor factor and maximum height of the building, to permit the site to be developed with a mixed use, primarily hotel building consisting of 118 hotel rooms with ancillary uses on Erf 416-RE, Sea Point West Cape Town.
- 1.1.2 Application is made for City approval to permit the building to be located at 0m in lieu of 5m from a Provincial Main Road (PRM) (Main Road). Noteworthy, is that the existing building on the site is already located at 0.0m from the PMR and therefore the new building will have no additional impact on the PRM and should be supported by the City and the Provincial Roads Authority.
- 1.1.3 Application is made in terms of Section 42(a): To rezone the property from General Business 5 (GB5) to General Business 6 (GB6).
- 1.1.4 Application is made in terms of Section 42(b): To permit permanent departures from the Development Management Scheme (DMS) relating to street boundary building lines setbacks, maximum floor factor and maximum height of the building.

1.2. Subject property description

The subject property is described as Erf 416-RE, Sea Point West, in the City of Cape Town, Cape Division, Province of Western Cape, in extent 497m². As the property's title deed does not contain any conditions restricting the development or use of the property (please see conveyancer certificate attached), development is controlled solely in terms of the City of Cape Town's Development Management Scheme (DMS).

Erf 416-RE is zoned General Business 5 (GB5) and currently developed with a three-storey building with retail on first storey and flats on second and third storey. The existing building is older than 60 years and is graded as "some heritage significance evident". HWC input is required and as such a HWC total demolition permit has been applied for. In terms of the DMS, a hotel with ancillary uses is permitted as of right in the GB5 as well as the proposed GB6 zone, subject to compliance with the relevant development rules. Rezoning to GB6 and departures from the DMS are required to undertake the proposed new building.



Aerial view of Erf 416-RE, Sea Point West, Cape Town and surrounding development.

1.3. Planning applications required in terms of the Municipal Planning By-law

Application is made in terms of Section 42(a) and 42(b) of the City of Cape Town Municipal Planning By-law, 2025, for the following approvals:

Rezoning

- **In terms of Section 42(a):** To rezone the property from General Business 5 (GB5) to General Business 6 (GB6).

Permanent Departures

- **In terms of Section 42(b):** To permit permanent departures from the Development Management Scheme (DMS) relating to street boundary building lines setbacks, maximum floor factor and maximum height of the building.
- **Item 60(c) Floor Factor:** To permit the maximum floor factor on the land unit be 6,6 (3280m²) in lieu of 6 (2982m²).
In terms of Item 99(d)(ii) the application is to permit 10% additional floor factor 6,6 (3280m²) in addition to this, **in terms of Item 60(i)** the 50m² public pedestrian footway provided along the street boundary (Main Road) allows for 100m² additional floor factor in recognition of the urban design contribution for a total floor factor of 6,8 (3380m²). Further, **in terms of Item 60(g)** hotel floor space concession: some portions (hotel ancillary uses) are disregarded when calculating the total floor space of the building.
- **Item 60(d) Height:** To permit the maximum height of the building to be 49,5m in lieu of 45m.
- **Item 60(e) Building Lines:** To permit portions of the building to be set back 0m in lieu of 1/2(H-25m) Above 30m from the street boundary (Main Road).
 - At 12th Storey - 0m in lieu of 3,565m.
 - At 13th Storey - 0m in lieu of 4,925m.
 - At 14th Storey - 0m in lieu of 6,285m.
 - At 15th Storey - 0m in lieu of 7,645m.
 - At 16th Storey - 0m in lieu of 9,005m.
 - At 17th Storey - 0m in lieu of 10,365m.
 - At 18th Storey - 0m in lieu of 11,725m.
 - At Top of Roof - 0m in lieu of 12,2m.
- **Item 121(2) Building Lines:** City's approval to permit the building to be set back 0m in lieu of 5m from a PRM (Main Road).

1.4. Current use of the property:

Erf 416-RE is currently developed with currently developed with a three-storey building with retail on first storey and flats on second and third storey.

1.5. Character of the area:

The subject property is surrounded by properties zoned GB5 and GB6 with some properties further from Main Road zoned GR4 and GR5. Sea Point West can be described as a true mixed-use neighbourhood. The area has a mixture of businesses premises, community facilities and transport activities with numerous residential and hotel buildings being developed recently. Several properties in the vicinity of Erf 416-RE have recently been redeveloped in accordance with their development rights. However, some properties remain underdeveloped with some single and double storey buildings remaining in the area.

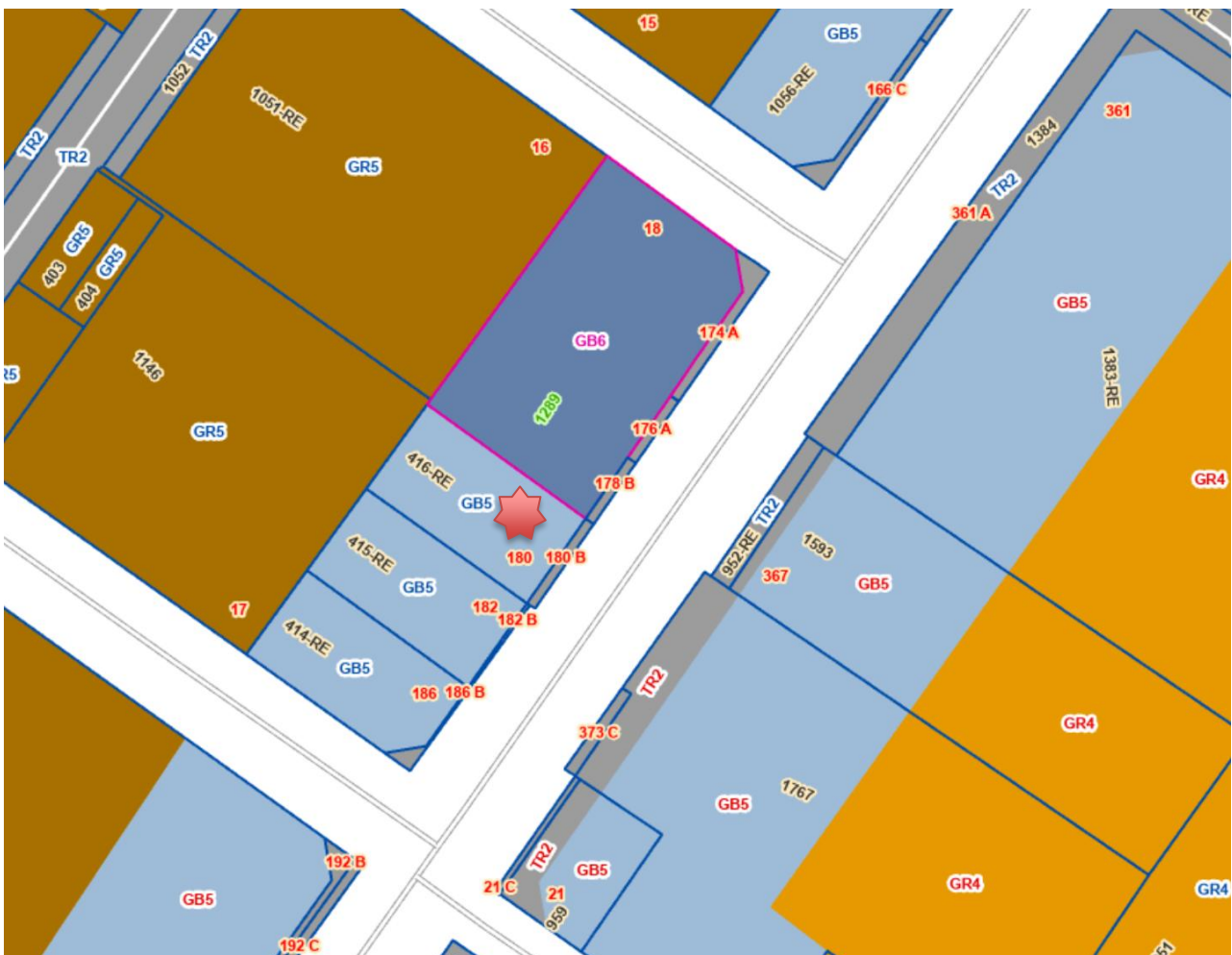
2. BASIC INFORMATION

2.1 Applicant / mandate

The registered owner of Erf 416-RE, Sea Point West, Cape Town, _____ has authorised Theo Kruger to make application to the City of Cape Town for the approvals referred to in Paragraph 1.3 above, and to act as the applicant in this and related matters.

2.2 Ownership details

The subject property is owned by _____ who is desirous to improve the subject property as per the attached Building Plans.



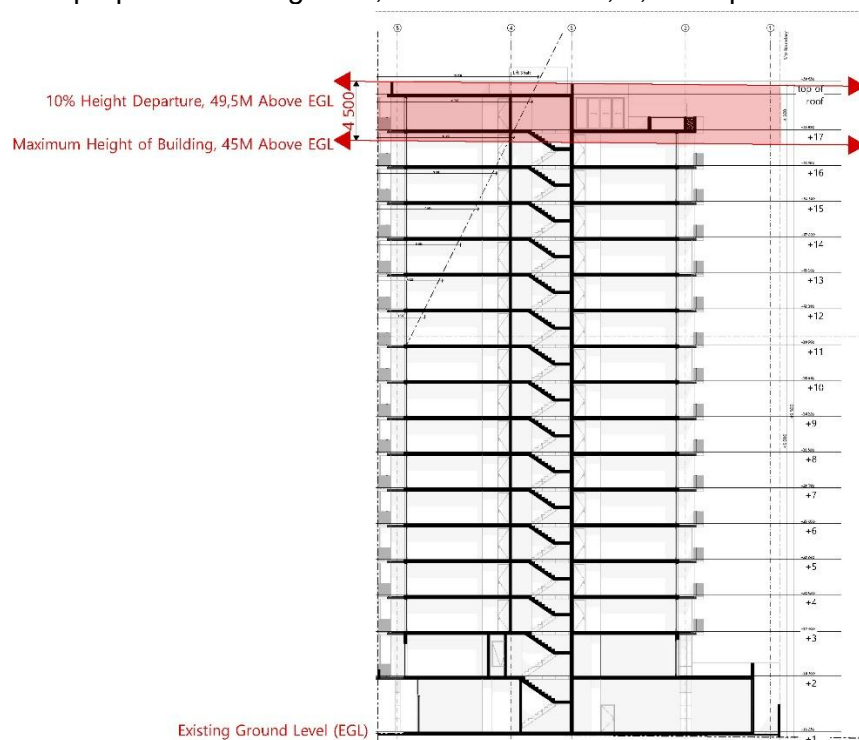
Zoning extract of the properties surrounding Erf 416-RE, Cape Town

2.3 Applicable Development Management Scheme and zoning

The Development Management Scheme as contained in Schedule 3 of the City of Cape Town Municipal Planning By-law, 2025 is applicable to the subject property. As indicated earlier in this report, the property is 498m² in extent and zoned GB5 which is proposed to be rezoned to GB6. The proposed new building, consisting primarily of a hotel with 118 hotel rooms and ancillary uses, are permitted as of right in the GB6 zone. The applicable development rules for GB6 with an indication as to whether the proposed development complies with said development rules, are as follows:

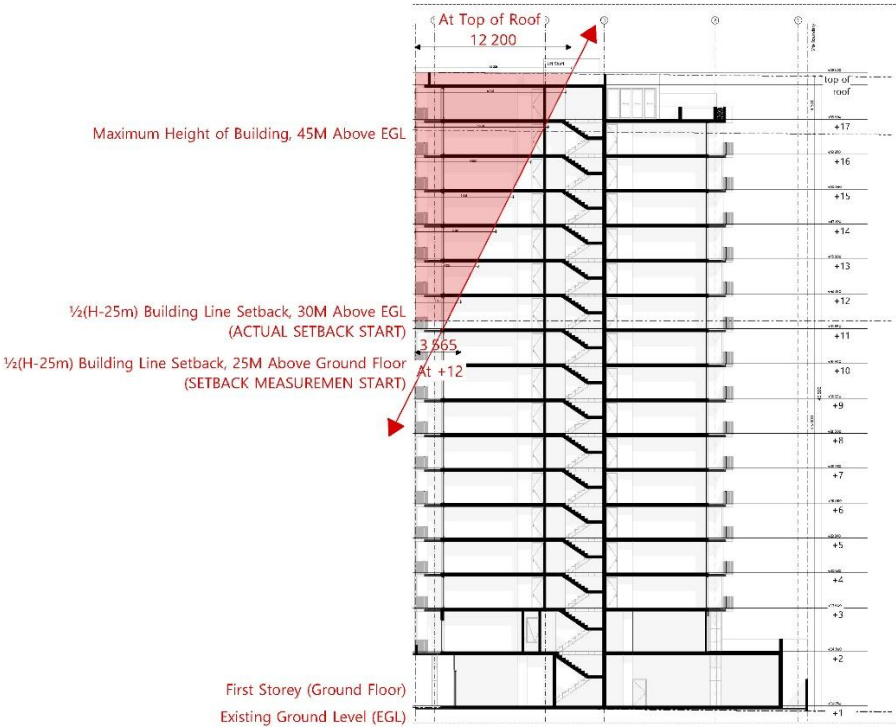
Development Rule	Permitted/Required	Provided	Compliance
Floor Factor	6(2'982 m ²)	6,8(3280m ²) +100sqm	Departure Required
Coverage	100%	98%	Compliant
Maximum Height	45m	49,5m	Departure Required
Street Boundary Building Line	1/2(H-25m) Above 30m	0m	Departure Required
Common Boundary Building Line	0m	0m	Compliant
Parking provision (PT2 area)	Nil	Nil	Compliant
Street Centre Line	8m	8,1m	Compliant

As demonstrated in the diagrams below, maximum height of a building is measured from the Existing Ground Level (EGL) to the top of the roof as per **Item 60(d) Height (i) of the DMS**. The maximum height of the proposed building is 49,5m in lieu of 45m, 4,5m departure.

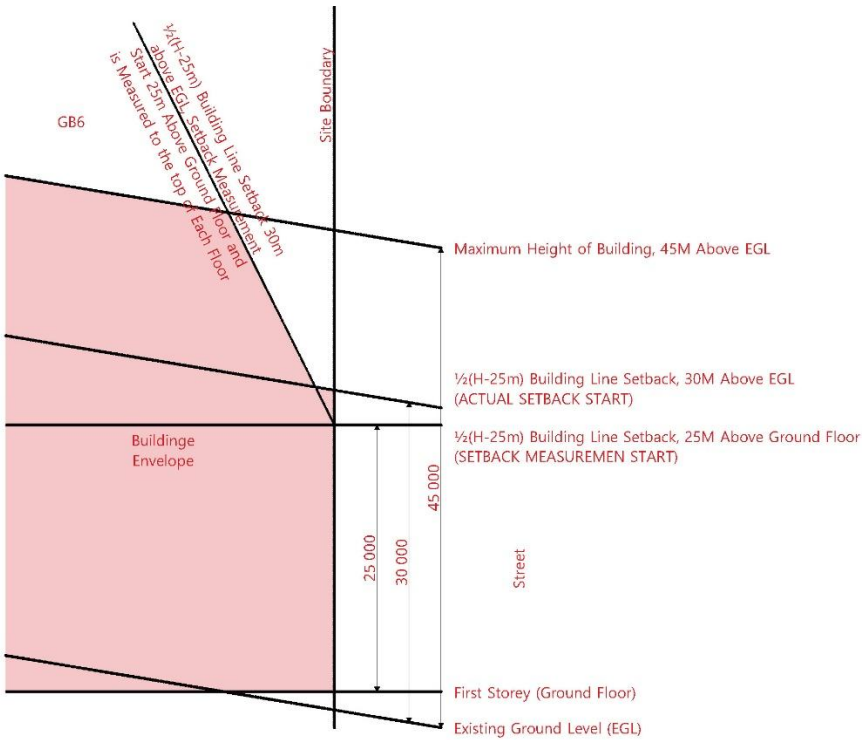


Height Departure Diagram

As demonstrated in the diagrams below, the street building line setback starts at 30m above the EGL, the setback required is measured from 25m above the Ground Floor (First Storey) the symbol 'H' in the DMS means the height in metres of the point concerned above Ground Floor as per **Item 60(d) Height (i) of the DMS**. The street building line setbacks of the proposed building is 0m in lieu of 3,565m at 12th Storey and m in lieu of 12,2m at Top of Roof.



Street Building Line Setback Departure Diagram



Height and Street Building Line Setbacks Diagram

Application is made to rezone the property from GB5 to GB6. In accordance with the above table, application is made for a permanent departure from the DMS relating to street boundary building lines setbacks, maximum floor factor and maximum height of the building.

3. PLANNING MOTIVATION

3.1 Motivation of Development Proposal in terms of the Municipal Planning By-law

Section 99 of the Municipal Planning By-law prescribes the criteria for evaluating all applications. In motivating an application, these criteria should be addressed.

3.1.1 Compliance with spatial development framework and applicable planning policy

In terms of the spatial development framework applicable to the area, the site is located within the scope of the *Table Bay District Plan* which is a component of the *Municipal Spatial Development Framework*. The District Plan provides conceptual proposals for the future development of the City's Table Bay District as well as guidelines for the assessment of development applications. The proposal supports the City's objective of creating a more inclusive, integrated, economically competitive and resilient urban environment through inward growth, investment in strategic locations and the efficient use of existing infrastructure.

Measure of Compliance with the MSDF	
Objective Statement	The proposed development
Objective 1 Supporting Inclusive Economic Growth	The District Plan encourages mixed-use development, at this location supporting the sustainable use of the public transportation. The development proposal will respond positively to this policy and will contribute significantly to achieving the desired urban structure of the local area. It is envisaged that the proposed development will be a catalyst for mixed-use development in the area and will have a positive effect on the integration of land uses and an improving sense of place. The proposal responds to and reinforces the existing urban structure of Sea Point as a dense, mixed-use coastal corridor. The development strengthens the Main Road activity spine and enhances connectivity between the mountain and ocean edges. It avoids spatial fragmentation by integrating with existing movement networks, public amenities, and urban grain.
Objective 2 Reinforcing the Urban Inner Core	The MSDF promotes an inward growth strategy, encouraging new development within the existing urban footprint where infrastructure, services and economic opportunities already exist. Sea Point forms part of Cape Town's established Urban Inner Core, where the City seeks to prioritise investment, increase development intensity and optimise existing infrastructure. Locating a hotel within this strategic urban area reduces development pressure on peripheral locations

	while making efficient use of existing municipal infrastructure, transport networks and public amenities. The proposal therefore directly supports the City's objective of accommodating growth through urban consolidation rather than outward expansion.
Objective 3 Optimising Public Transport and Walkability	The MSDF promotes land uses that support public transport and reduce reliance on private vehicles. Sea Point benefits from excellent accessibility via the MyCiTi bus network, pedestrian infrastructure and cycling routes, making it one of Cape Town's most accessible mixed-use precincts. Hotels are particularly suited to locations with high levels of public transport accessibility because guests typically rely on public transport, walking, cycling and ride-hailing services rather than private vehicle ownership. The proposed development therefore reinforces transit-oriented development principles while contributing to reduced transport demand and lower carbon emissions.
Objective 4 Strengthening Cape Town as a Global Destination	The MSDF recognises Cape Town's internationally significant natural, cultural and tourism assets and promotes investment that enhances the City's competitiveness as a global destination. Sea Point occupies one of Cape Town's premier tourism locations due to its proximity to the Atlantic coastline, the Sea Point Promenade, the V&A Waterfront, Table Mountain, the CBD and other internationally recognised attractions. The proposed hotel will strengthen the City's tourism accommodation offering, support increased visitor numbers and reinforce Cape Town's position as a leading international tourism destination. The development therefore aligns with the MSDF's objective of leveraging destination places and strengthening economic sectors that contribute significantly to the metropolitan economy.
Objective 5 Efficient Use of Existing Infrastructure	One of the central principles of the MSDF is the optimisation of existing infrastructure through appropriately located development. The proposal utilises land within a fully serviced urban area where

	bulk engineering services, transport infrastructure and public amenities are already established. This represents a significantly more sustainable form of development than expanding into greenfield locations requiring extensive new municipal investment. The hotel therefore contributes to improved infrastructure efficiency and supports the City's long-term financial sustainability objectives.
Objective 6 Public and Private Investment Partnership	The MSDF repeatedly recognises that successful spatial transformation requires partnerships between the public and private sectors. The proposed hotel constitutes a substantial private investment that complements public investment in transport, public spaces and infrastructure within the Urban Inner Core. By investing in a strategic location identified for continued urban intensification, the development gives practical effect to the MSDF's intention of leveraging private sector investment to support economic growth, urban regeneration and long-term spatial transformation.
Objective 7 Sustainable Urban Development	The MSDF encourages development that contributes to climate resilience, efficient resource use and compact urban form. Hotels located within well-connected mixed-use urban precincts reduce travel distances, encourage non-motorised movement and optimise existing urban infrastructure. The proposal therefore contributes to a more sustainable pattern of urban development while supporting the City's objectives of inward growth, resource efficiency and reduced environmental impact.

The proposed hotel development is highly desirable in terms of the Municipal Spatial Development Framework because it:

- promotes inclusive economic growth and employment;
- reinforces the Urban Inner Core and inward growth strategy;
- optimises existing infrastructure and public transport investment;
- strengthens Cape Town's international tourism economy;

- encourages sustainable and compact urban development;
- leverages significant private investment in a strategic location; and
- advances the City's long-term vision of creating an inclusive, integrated, vibrant and economically competitive Cape Town.

The proposal is therefore fully aligned with the MSDP's spatial vision and strategic policy framework and represents an appropriate and desirable form of urban development within Sea Point.

Table Bay District Plan (Integrated DSDP and EMF), 2023, addresses the spatial vision, development strategies and subdistrict objectives for the Atlantic Seaboard. The District Plan recognises Sea Point as one of the City's most significant urban areas where redevelopment, intensification and investment should be encouraged, provided that development contributes positively to the public realm, economic activity, environmental quality and sense of place.

The proposed hotel development in Sea Point is considered desirable as it directly supports the strategic objectives, spatial vision and development guidelines of the **Table Bay District Plan (2023)**. The proposal reinforces the role of the Atlantic Seaboard as one of Cape Town's premier mixed-use urban destinations while contributing to economic growth, tourism, urban regeneration and the efficient utilisation of well-located land.

The District Plan envisions Table Bay as:

"An inclusive destination, providing more homes and opportunities to more people. An innovative district that becomes increasingly accessible and continues to offer a variety of economic opportunities, the benefits of which spread across the city."

A hotel development directly contributes toward this vision by:

- strengthening Sea Point's role as an international and local destination;
- increasing employment opportunities across hospitality, retail, tourism and service industries;
- supporting investment within one of Cape Town's highest value economic precincts; and
- reinforcing the area's accessibility and urban vitality.

The proposal therefore Supports the District Spatial Vision.

The District Plan recognises that the Table Bay District contains:

- the CBD;
- the Atlantic Seaboard;
- the majority of the city's tourism attractions; and
- the majority of Cape Town's hotel accommodation.

The document further notes that the district functions as the commercial and tourist centre of Cape Town and that tourism remains one of its primary economic drivers. A new hotel therefore represents an appropriate land use within this established tourism economy by expanding accommodation capacity where visitor demand is already concentrated. The proposal reinforces Table Bay's Role as Cape Town's Tourism and Economic Hub.

One of the primary district-level opportunities identified by the District Plan is:

"Intensification of development opportunities through urban infill and redevelopment."

The Plan specifically identifies the **Sea Point area** as a strategic infill opportunity where redevelopment should be supported.

The proposed hotel:

- redevelops urban land within the existing urban footprint;
- makes more efficient use of well-located land;
- avoids urban sprawl;
- supports a compact city form; and
- aligns with the City's strategy of accommodating future growth through redevelopment rather than outward expansion.

The proposal supports intensification and urban infill in a highly desirable area.

The District Plan emphasises the importance of protecting and enhancing the district's economic role by:

- strengthening established economic nodes;
- encouraging investment;
- maintaining economic viability; and
- supporting sectors that generate employment.

Hotels are significant employment generators, providing permanent and indirect jobs across hospitality, maintenance, transport, food services, tourism and local supply chains. The development therefore contributes directly to the City's objective of increasing jobs and investment and promotes economic growth and employment.

The District Plan highlights that:

- nine of Cape Town's top ten tourist attractions are located within the district; and
- the majority of Cape Town's hotel rooms are already situated in this area.

It further encourages development that enhances these tourism assets and broadens public enjoyment of them.

A contemporary hotel strengthens this tourism network by:

- accommodating increasing visitor demand;
- encouraging longer visitor stays;
- supporting conference and business tourism;
- increasing expenditure within local businesses; and
- reinforcing Sea Point as an internationally recognised destination.

Therefore, the proposal enhances tourism infrastructure.

The District Plan promotes development that creates:

- active urban environments;

- diverse land uses;
- walkable neighbourhoods;
- longer periods of daily activity; and
- safer public spaces through increased passive surveillance.

Hotels naturally contribute to these objectives because they operate throughout the day and evening, increasing pedestrian activity and supporting surrounding cafés, restaurants, retail outlets and public spaces encouraging mixed-use and vibrant urban environments.

The District Plan promotes higher-density development in highly accessible locations where residents and visitors can rely less on private vehicles and more on walking, cycling and public transport.

Sea Point is one of Cape Town's most accessible urban neighbourhoods, benefiting from:

- MyCiTi public transport;
- extensive pedestrian infrastructure;
- cycling routes;
- proximity to the CBD; and
- a concentration of commercial and recreational amenities.

Locating additional visitor accommodation in such a location represents an efficient and sustainable planning outcome and supports transit-oriented development principles.

The District Plan encourages:

- innovative building design;
- renewable energy;
- greener development practices; and
- movement toward net-zero carbon buildings.

Where possible sustainable building technologies and energy-efficient systems is incorporated into the proposal, this strengthens the desirability of the development and demonstrate alignment with the City's long-term environmental objectives.

The District Plan places considerable emphasis on:

- high-quality public spaces;
- attractive streetscapes;
- urban design excellence;
- sense of place; and
- celebrating the unique character of the district.

A well-designed hotel that provides an active street frontage, quality architecture and landscaping contribute positively to the public environment while reinforcing Sea Point's urban character.

The District Plan clearly favours redevelopment and intensification within existing urban areas rather than expansion beyond the urban edge. It identifies brownfield redevelopment as generally preferable because it protects natural systems while making efficient use of existing infrastructure.

The proposed hotel utilises serviced urban land within one of the City's highest-order activity areas and therefore represents an efficient and sustainable form of urban development consistent with the City's growth management strategy thus the proposal represents appropriate development within an existing urban area.

The proposed hotel development is fully aligned with the strategic intent of the Table Bay District Plan. It strengthens the role of Sea Point as a premier tourism and mixed-use destination, promotes economic growth and employment, supports urban infill and intensification, enhances the public realm, reinforces transit-oriented development principles, and contributes to a compact, resilient and sustainable urban form. As such, the proposal is not only an appropriate land use in its context but also advances the broader spatial transformation objectives of the City of Cape Town as set out in the Table Bay District Plan.

The proposed hotel development is consistent with the **Spatial Development Objectives for Sub-District 1**, the Atlantic Seaboard. The proposal will contribute positively to the continued evolution of Sea Point as a vibrant, mixed-use urban destination while supporting tourism, economic development, public transport usage and an active public realm.

The DSDF identifies Main Road and the Atlantic Seaboard as locations where mixed-use intensification should be encouraged through developments that contribute to a high-quality urban environment. The proposed hotel introduces an appropriate tourism-related land use within an established mixed-use precinct, reinforcing Sea Point's role as one of Cape Town's premier visitor destinations while supporting local businesses, restaurants and retail activities throughout the year. The proposal therefore contributes directly to the economic vitality of the area and strengthens the visitor economy envisaged by the District Plan.

The development promotes the objectives of creating an active and engaging streetscape by providing a positive interface between the building and the public realm. Hotels naturally generate activity throughout the day and evening, increasing pedestrian movement, passive surveillance and street vitality. This aligns with the District Plan's objective of promoting positive interfaces between private and public spaces and encouraging active pedestrian environments.

The property is located outside any Heritage Protection Overlay Zone. Consequently, the heritage conservation provisions relating to the Sea Point HPOZ are not applicable to this development. The proposal therefore does not affect identified heritage precincts or their character-defining elements and can respond appropriately to the broader urban design objectives applicable to the surrounding mixed-use area.

The proposed hotel also supports the District Plan's emphasis on transit-oriented development. Sea Point is one of Cape Town's best-served public transport environments, with excellent pedestrian infrastructure and access to public transport routes. Hotel guests typically make extensive use of walking, ride-hailing services, cycling and public transport to access nearby attractions, reducing dependence on private vehicles. In this regard, the proposal is entirely consistent with the District Plan's objective of concentrating hospitality and mixed-use activities along development corridors associated with the public transport network.

No on-site parking is proposed. This is appropriate within the context of the surrounding urban environment and is supported by the District Plan's movement strategy, which seeks to reduce

private vehicle dependence, encourage public transport use and manage parking demand rather than continually increasing parking supply. Given the site's location within a highly walkable urban precinct, close to public transport services, restaurants, shops and tourist attractions, the absence of parking promotes sustainable travel behaviour and aligns with the City's long-term transport and environmental objectives.

Furthermore, the proposal supports the continued activation of the Sea Point Promenade and surrounding public spaces by increasing visitor numbers within walking distance of these metropolitan assets. By accommodating tourists within the urban core rather than peripheral locations, the development contributes to the efficient utilisation of existing infrastructure while reinforcing Sea Point's role as a significant tourism destination. This supports the District Plan's objectives of protecting and enhancing the promenade, encouraging active public spaces and maintaining the Atlantic Seaboard as a destination of metropolitan significance.

Overall, the proposed hotel represents an appropriate form of urban development that is fully consistent with the strategic intent of the Table Bay District Spatial Development Framework. It supports mixed-use intensification, tourism, economic growth, pedestrian activity and sustainable transport while respecting the surrounding urban context. As the property lies outside a Heritage Protection Overlay Zone and does not impact identified heritage resources, the proposal can be considered on its urban planning merits and is demonstrably aligned with the City's vision for the continued evolution of Sea Point as a vibrant, accessible and internationally recognised mixed-use destination.

The City's *Densification Policy*, 2012, addresses the issue of rapid and continuous low-density development and its negative impact on the sustainable development of Cape Town. In terms of the Policy, densification is viewed as "a necessary step to promote the longer-term sustainability of Cape Town's valuable natural, urban and rural environments". The purpose of the Policy is to guide decision-making with respect to density-related applications.

According to the Policy densification is desirable for the following reasons:

- Making more efficient use of land, which is a scarce resource, especially in sought-after areas with an abundance of social, institutional and recreational opportunities.
- Urban sprawl is contained with the result that pressure on land with high agricultural, conservation and amenity value is reduced.
- Equity within the City is encouraged. Low densities close to areas with good opportunities merely displaces other people to worse located land. Invariably the greatest impact is upon the urban poor.
- Densification allows more people to live in and enjoy the benefits of well-located areas and areas with good amenities.
- Densification aids in facilitating the pre-conditions for a viable public transport system.
- Densification of well-located areas helps to reduce travel distances. This has significant advantages for reducing congestion on the metropolitan transportation network as well as substantial environmental benefits by reducing fuel consumption.

- As reflected in the Council's State of the Environment Report, densification contributes significantly towards environmental sustainability.
- Densification allows for the changing needs of the inhabitants of the city.

Other policies that are considered to be applicable to this application is the;

The City's Social Development Strategy, 2012, addresses the high rates of poverty, inequality and social ills, which affects the growth and development of the City. The proposed hotel represents an appropriate and desirable form of development within Sea Point, a strategically located mixed-use precinct that is well-served by existing public transport, public infrastructure, employment opportunities and visitor amenities. The proposal is consistent with the City of Cape Town's **Social Development Strategy (SDS)**, which recognises that the City's planning, investment and regulatory functions should serve as strategic enablers of social and economic development, ultimately improving the quality of life of all residents.

The proposal advances the five overarching objectives of the Social Development Strategy as follows:

Measure of Compliance with the Social Development Strategy	
SDS Objective	The proposed development
Objective 1 Maximising Income-Generating Opportunities	The Social Development Strategy promotes the creation of sustainable economic opportunities and entrepreneurship as a means of reducing poverty and exclusion. The proposed hotel will generate significant employment during both construction and operation, creating opportunities across a wide range of skill levels, including hospitality, retail, management, maintenance, security, cleaning and tourism services. It will further stimulate demand for local suppliers, transport providers, restaurants, entertainment venues and small businesses, thereby extending economic benefits beyond the site itself. These outcomes directly support the Strategy's objective of maximising income-generating opportunities and strengthening Cape Town's visitor economy.
Objective 2 Building Safe, Active and Well-Managed Urban Environments	The hotel introduces continuous activity throughout the day and evening, increasing passive surveillance and reinforcing the vitality of the surrounding public realm. Permanent occupation by guests, staff and visitors contributes to an active streetscape and supports local businesses outside conventional trading hours. Through quality urban design, active ground-floor uses and professional building management, the development contributes towards creating a safe, healthy and well-maintained urban environment

	consistent with the objectives of the Social Development Strategy.
Objective 3 Supporting Access to Economic Opportunity	Although the proposal is not a residential development, it significantly enhances access to employment opportunities within one of Cape Town's most accessible economic nodes. The Strategy recognises that improving access to opportunity is a fundamental component of social development. By concentrating employment-generating land uses within an established urban area that is well connected to public transport and surrounding residential neighbourhoods, the proposal enables broader access to jobs and supports inclusive economic participation.
Objective 4 Promoting Social Integration	Sea Point is one of Cape Town's most diverse and accessible urban precincts. The introduction of a hotel strengthens its role as an inclusive destination where residents, domestic visitors and international tourists interact within shared public spaces. Increased pedestrian activity supports local retail, restaurants, recreation facilities and public open spaces, reinforcing the Strategy's objective of fostering social interaction, diversity and inclusion through well-functioning urban environments. The development therefore contributes positively to the social integration objectives of the Strategy.
Objective 5 Mobilising Resources for Social Development	The Social Development Strategy encourages collaboration between the public and private sectors in delivering social and economic benefits. The proposed investment represents a substantial private-sector commitment within the metropolitan economy, expanding Cape Town's tourism infrastructure while strengthening the municipal rates base, creating permanent employment and supporting continued investment in public infrastructure and municipal services. In doing so, the development assists in mobilising private investment to achieve broader public development objectives.

The proposed high-rise hotel is a desirable urban development that aligns closely with the objectives of the City of Cape Town's Social Development Strategy. It will stimulate economic growth, create permanent employment, support local enterprise, activate the public realm, strengthen tourism infrastructure and contribute to the long-term social and economic resilience of Sea Point. As a strategically located investment within an established mixed-use corridor, the proposal gives

practical effect to the City's vision of using development and planning as strategic enablers of social and economic development, making it an appropriate and beneficial addition to the urban fabric.

The City's Parking Policy, 2020, The proposed hotel is located within a designated PT2 area where the City's Development Management Scheme does not require the provision of off-street parking due to the site's high level of accessibility to public transport and alternative transport modes. The absence of off-street parking is therefore not only compliant with the applicable parking requirements but is also consistent with the strategic objectives of the City of Cape Town Parking Policy.

The Parking Policy recognises that excessive parking provision promotes private vehicle dependency, increases congestion and undermines the City's objectives of achieving a more compact, transit-oriented and environmentally sustainable urban form. Instead of encouraging additional private vehicle trips, the policy seeks to reduce minimum parking requirements in areas well served by public transport to facilitate appropriate urban development, reduce carbon emissions and support sustainable travel behaviour.

The proposed hotel is ideally suited to this policy approach. Hotels generally generate a significantly lower long-term parking demand than many other land uses, as guests increasingly arrive via airport shuttle services, e-hailing services, organised tour operators, public transport and walking. Sea Point itself is one of Cape Town's most accessible mixed-use neighbourhoods, with excellent pedestrian infrastructure, MyCiTi bus services, cycling facilities and proximity to major tourist attractions, restaurants, retail opportunities and recreational amenities. The development therefore enables visitors to access the city without reliance on private vehicles.

By not constructing structured or basement parking, the development avoids the significant financial, environmental and spatial costs associated with parking provision. It should be noted that the shape of the ERF, specifically the width of 16,3m does not allow for an efficient parking layout. The Parking Policy specifically recognises that parking requirements consume valuable developable land, increase construction costs and can reduce the feasibility of higher-density urban development. The policy further notes that reduced parking requirements support more efficient land utilisation and contribute towards a denser and more sustainable urban form.

The proposal directly supports **Parking Policy Principle 3**, which promotes parking provision that encourages public transport use, reduces private car dependency and advances environmental sustainability. It also supports the policy's desired outcome of reducing reliance on private vehicles by providing multiple transport options for residents and visitors while improving accessibility to key urban destinations.

Furthermore, the proposal gives practical effect to **Policy Directive 7**, which specifically provides for reduced parking requirements in PT1 and PT2 areas to facilitate new development, reduce private vehicle dependency and support the City's Transit-Oriented Development objectives. The policy expressly recognises that reduced parking provision in areas served by public transport assists in establishing more sustainable travel patterns and supports the City's broader goals relating to modal shift, carbon reduction and urban resilience.

The development also reinforces the City's broader economic objectives. Rather than dedicating substantial portions of the building to inactive parking structures, the proposal maximises productive floor space for tourism accommodation that contributes to employment creation, visitor expenditure, local business support and ongoing economic activity within Sea Point. This represents a more

efficient use of scarce urban land while reinforcing the area's role as one of Cape Town's premier mixed-use tourism destinations.

Accordingly, the absence of off-street parking should not be regarded as a deficiency but rather as an intentional planning response that aligns with the City's adopted Parking Policy, the principles of Transit-Oriented Development and the long-term objective of creating a compact, accessible and sustainable urban environment.

Other policies that are considered to be applicable to this application is the;

Inclusive Economic Growth Strategy, 2021

The application will contribute towards increased economic activity and employment opportunities given its location within an urban area. Also, employment opportunities will be created during and after the development stages. It will support access to facilities and amenities.

Transport Orientated Development Strategic framework, 2016

The core TOD principles of affordability, accessibility, efficiency, intensification and densification are fostered by the application. It is located close to various modes of public transport (an existing Integrated Public Transport Network) in Sea Point. It will, therefore, facilitate access to social and economic opportunity.

Urban Design Policy

In recognition that development has the potential to change the way the city is structured and can have an impact (positive or negative) on the collective, or public environment, it is the City's duty to develop policies to guide and regulate development and then assess development applications against these policies through the land use planning process. The CTSDP and District Plans already include many sound urban design principles at the scale of the city which can be used to assess desirability. The intent of the Urban Design Policy is to focus on the local level, the scale of the site, precinct or neighbourhood.

Measure of Compliance with the Urban Design Policy	
Objective Statement	The proposed development
Objective 1 Ensure Legible Spatial Structure	The District Plan encourages mixed-use development, at this location supporting the sustainable use of the public transportation. The development proposal will respond positively to this policy and will contribute significantly to achieving the desired urban structure of the local area. It is envisaged that the proposed development will be a catalyst for mixed-use development in the area and will have a positive effect on the integration of land uses and an improving sense of place. The proposal responds to and reinforces the existing urban structure of Sea Point as a dense, mixed-use coastal corridor. The development strengthens the Main Road activity spine and enhances connectivity between the mountain and ocean edges. It avoids spatial fragmentation by integrating with existing

	movement networks, public amenities, and urban grain.
Objective 2 Create Good Quality Open Space through Placemaking	The development is designed to have a positive relationship with the surrounding public roads. The building has been set back 0m from the street boundaries with the width of the public realm staying intact, the inclusion of a colonnade and retail space on the ground floor will ensure activity on the surrounding public space. The development is also designed to maximise residential (hotel) opportunities on the upper floors overlooking the surrounding public realm, which in turn will add to the sense of security experienced in the Street. The development incorporates intentionally designed communal and publicly accessible open spaces, including a colonnade and retail on the street edge as mentioned above. Further to this, semi-public uses include hotel conference space with a landscaped terrace and a rooftop clubhouse with a sun deck and swimming pool. These spaces are integrated into the broader public realm and designed to support social interaction, passive recreation, and small-scale economic activity.
Objective 3 Contribute to the Creation of Healthy and Safe Communities	A key element of the proposed development's design is that the residential (hotel) units on the upper floors overlook the public street as much as possible. This will ensure that surveillance on the surrounding spaces is maximised and will contribute to a safe environment. The mixed-use nature of the development also ensures that surveillance from the proposed building occurs during and after normal office hours. The development will also have 24-hour on-site security and concierge. The proposal enhances safety through passive surveillance, active frontages, and appropriate lighting. It promotes walkability, universal access, and climate-responsive design, contributing to a healthy living environment. Environmental risks, including coastal conditions, are addressed through resilient design measures.
Objective 4 Design Streets as Positive Public Space	The building engages positively with the streetscape by prioritising pedestrian movement and comfort. Ground floor uses activate the street edge, while landscaping, proposed new trees on the sidewalk and a landscaped canopy on First Storey, enhance the public realm. These also acts as weather protection elements further contributing to a positive space.

	The proposed pedestrian access and the retail opportunities along the adjacent public street, will ensure efficient movement and positive public space.
Objective 5 Promote Intensity, Diversity and Adaptability of Uses	The development supports appropriate densification within a well-located urban area and optimises the development potential of the site. A mix of residential (hotel) and complementary uses promotes activity throughout the day, enhancing economic vitality this also ensures that development is intensified. Flexible internal layouts allow for adaptability over time in response to changing needs.
Objective 6 Ensure Positive Interfaces onto the Public Realm	The design of the proposed building will ensure that a positive relationship with the surrounding public street is created. The placement of the building set back 0m from the Street boundary will ensure active surveillance over the surrounding environment. The proposal incorporates active ground floor uses, transparent façades, and articulated entrances to create a strong relationship with the street. Blank walls are avoided and building edges are designed to enhance visual permeability and pedestrian engagement.
Objective 7 Provide Support to Sites of Informality	While Sea Point is predominantly formal, the development acknowledges informal economic activity by accommodating flexible edge conditions that can support small-scale traders and service providers where appropriate, particularly along high-footfall areas. It should be noted that the context of this site does not allow the achievement of informality.
Objective 8 Value and Enhance Green Open Spaces.	The proposal enhances urban greening through proposed new trees on the sidewalk to form part of the line of trees on Main Road and the introduction of a landscaped canopy on the First Storey. With this it contributes to the broader green network and improves environmental performance through permeable surfaces and stormwater-sensitive design. Normal principles of sustainable design and resource efficiency will be adhered to wherever possible.
Objective 9 Respond to the Character and Identity of the Area	The design responds sensitively to Sea Point's established character, including its scale, rhythm, and coastal urban identity. The building form, materials, and articulation are contemporary yet contextually appropriate, respecting surrounding development patterns, view corridors, and the unique sense of place.

	The immediate area has limited historical relevance, and the proposed building articulation has been broken up into different vertical and horizontal elements to ensure the building is more aesthetically pleasing and fits into its environment. The development has been designed to provide an appropriate scale and contextual urban form whilst having consideration for the surrounding area. The character of the proposed development is in harmony with that of the local area.
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The proposed development demonstrates strong alignment with the City's Urban Design Policy by contributing positively to the public realm, supporting spatial integration, and reinforcing the character and functionality of Sea Point. It represents a well-considered response to both site-specific conditions and broader urban design objectives.

Tall Building Policy

The In high order nodes, in this case, Sea Point Main Road a significantly tall building can be described as a building of more than 10 storeys or 35m (whichever is the highest) therefore the tall building policy is applicable to this application.

Measure of Compliance with the Tall Building Policy	
Policy Statement	The proposed development
Policy 1 The location of tall buildings must protect key views to Table Mountain, other mountain ranges such as Kogelberg/ Helderberg and the sea from public spaces and key public places.	The proposed building is located within an established urban environment where surrounding structures, topography, and the orientation of existing view corridors collectively ensure that the proposed building will not materially impact public or protected views of Table Mountain, Loins Head or Signal Hill from the Sea Point Promenade or the Sea Point Pavilion.
Policy 2 Tall buildings should only be located in appropriate locations	Sea Point forms part of a well-established high-intensity urban corridor along the Atlantic Seaboard, characterised by mid to high-rise development. The site is therefore appropriately located for intensification. The proposal responds directly to the existing built form, grain, and urban character of Sea Point, which already accommodates buildings of significant height. This ensures a contextually appropriate and visually integrated development.
Policy 3 Applications must meet assessment criteria as set out in the Policy	Design Guidelines for Tall Building Response at the Scale of the Precinct Although the site is very small and located mid-block, the proposal is designed to integrate seamlessly into

	the existing grain of Sea Point, which is characterised by fine to medium-grained erfs, mixed-use typologies and significant incremental densification. The proposal picks up existing height lines formed by adjacent high-rise structures on Main Road and Beach Road, ensuring the building reinforces rather than disrupts the emerging skyline rhythm. The site is not a prominent corner site, nor does it terminate a vista or frame a park; therefore, the building's height does not compete with any civic or landscape focal point. Response at the Scale of the Site The building aligns exactly parallel to the street boundary, maintaining continuity with the existing street wall and giving definition to the public realm. The building entrance is directly on the street, fully visible, and pedestrian-orientated, which meets the guideline that tall buildings must not rely on recessed or introverted entrances. A fine grain of façade articulation and transparency improves safety and street activation. Response at the Scale of the Building The three relationships that tall buildings have to its surroundings are addressed as follows; Base - The introduction of a landscaped projection canopy and colonnade acts as the base of the building. Middle - Due to the size of the property significant setbacks are not feasible, however the introduction of balconies at different angles acts to break up the perceived scale of the building. Top – Minor setbacks at roof level and roof treatments articulate the top of the building, it should also be noted that it is a midblock property, and the top of the building should be read in conjunction with the surrounding properties. Impact on the Public Realm The public realm benefits from continuous active frontage and transparent retail edges. It avoids blank walls, vents, or servicing fronting onto the street. Social Responsibility & Sustainability The proposed building optimised land use on a constrained site, preventing outward sprawl and includes accessible ground-floor uses that contribute to social inclusion.
Policy 4 All tall buildings must contribute to a quality, active public realm at street and first floor level.	By placing retail uses at ground level, the building creates a permeable, animated edge that enhances street life, improves passive surveillance, and aligns with the area's established mixed-use character. No parking or other services faces the street; this directly supports a high-quality public realm.

Policy 5 Possible additional review for significantly tall buildings	Requirements to be determined at the city's discretion.
Policy 6 Assessment on merit within the building's unique context	The proposed building is appropriately located within Sea Point's established urban corridor, where higher-intensity, mixed-use development is both supported and desired. The site sits along a well-served movement spine with exceptional access to MyCiTi routes, minibus taxis, e-mobility networks, and walkable daily amenities, reducing dependency on private vehicles and enabling sustainable densification.
Policy 7 Area character analysis will inform the design of tall buildings	The proposal is appropriately located mid-block in an area of Sea Point with low heritage sensitivity, making it a suitable site for vertical intensification. Unlike areas characterised by historic streetscapes or significant conservation-worthy structures, this portion of Sea Point consists largely of contemporary, mixed-height buildings with no coherent heritage fabric that would be compromised by additional height.
Policy 8 A tall building design should consider the three parts of a tall building within its context	The three parts of a tall building – base, shaft and top are contemplated under Policy 3 above.
Policy 9 A tall building's design should include a mix of uses and promote the City's Densification Strategy	The development incorporates a mix of compatible uses, such as Ground floor retail and commercial activity (Hotel Conference space) on First Floor. Upper-level residential (hotel) space, this ensures that surveillance from the proposed building occurs during and after normal office hours. The development will also have 24-hour on-site security and concierge.
Policy 10 Criteria for renewable energy and/or energy efficiency in tall buildings must be considered to support limited infrastructure resources	A key focus of the proposed development is sustainability, and a large emphasis will be put on promoting energy efficiency. This will include the installation of renewable energy infrastructure, water recycling etc. Note that the detailed design and requirements for these elements will only be done at a later stage, when the building plans are being prepared.

The proposed development in Sea Point demonstrates full alignment with the Tall Building Policy (2013). It represents an appropriate, contextually responsive, and high-quality intensification of a well-located urban site, while delivering clear public, economic, and environmental benefits.

Inclusionary Housing Consideration

- The developer does not propose to include any inclusionary housing in the development but does provide housing opportunities in the Sea Point.
- Due to the size of the development and the role financial institutions will play in the redevelopment phase of the project, there are certain minimum financial viability numbers to reach, and also considering the risk involved in redevelopment projects related to many unforeseen aspects coming up prior, as well as, during the construction period. Making provision for all the unforeseen aspects, as well as making provisions for inclusionary housing, will deem the development to be non-viable and will effectively deem the site to not be viable for redevelopment.
- Should the City impose any inclusionary housing requirements on the above-mentioned project it would stifle private and corporate investment into this area of the city as projects would unreasonably be burdened by additional measures which would make the project not financeable by all the institutions who would typically finance this project. This will lead to the housing in the city to become more expensive due to the supply of housing in the city being stifled, and demand will keep growing, effectively having the opposite effect of the desired outcome of the Inclusionary housing consideration document.
- The building is not regarded as the definition of a 'tall building' as per the explanation elsewhere in this document.
- The development is in close proximity to economic opportunities and social infrastructure, being in Sea Point, and therefore an increased intensity of land use on the property will automatically create additional supply of residential opportunities in the area which will lead to more affordable pricing of units due to the sheer number of units being supplied. This is based on the basic principle of supply and demand. When supply of more residential buildings are encouraged and the processes to supply these opportunities are shortened and made more accessible, more residential opportunities will be created which will create more affordable residential opportunities such as the proposal is proposing to do.

3.1.2 Other Considerations Prescribed in Provincial and Provincial Legislation

Both LUPA and SPLUMA support and encourage residential densification and efficiency. In this regard Section 59(3) of LUPA stipulates, inter alia, that land use planning shall be guided by the principles of efficiency which include the development of more compact cities with higher densities. In terms of Section 7. of SPLUMA land development shall be promoted in locations which are sustainable and which limits urban sprawl.

As the development of hotel rooms on the storeys above ground on a property which currently serves little function in terms of economic activity, the proposal clearly supports the principles of efficiency and densification and therefore complies with the principles of the aforementioned legislation.

3.1.3 Relevant Criteria of the Development Management Scheme:

As pointed out above, a rezoning from GB5 to GB6 and permanent departure from the Development Management Scheme is required. The proposal does not comply with all the development rules applicable to the GB5 or GB6 zone and would require city approval as contemplated above.

3.1.4 Impact on existing rights

With regard to the development rights contained in the DMS, the proposal will not impact in any way on the ability of any property owner to exercise his/her rights.

The proposal will result in a substantial increase in the value of Erf 416-RE, and a concomitant increase in the value of surrounding properties; owners of properties in the vicinity of Erf 416-RE will therefore derive indirect benefits from the proposed development. Furthermore, approval of the application will not compromise the ability of surrounding property owners to exercise their development rights in terms of the Municipal Planning By-law or any other property-related legislation. Clearly, therefore, approval of the application under consideration will not have any negative impact on existing rights.

3.1.5 Desirability

Rezoning Desirability: The proposed rezoning of the property from **General Business 5 (GB5)** to **General Business 6 (GB6)** is both desirable and necessary to facilitate the viable development of a hotel on the subject site. Owing to the site's exceptionally small footprint, the development potential permitted under the current GB5 zoning is insufficient to support a hotel of an economically sustainable scale. The additional development rights afforded by GB6 are therefore essential to achieve a feasible project while making efficient use of a well-located urban site. It should be noted that the rezoning is in line with similar approved rezoning and consolidation applications of neighbouring properties.

The desirability of the proposal is further reinforced by the **City of Cape Town Municipal Planning By-law, 2025**, which introduced increased permissible building heights within a number of zoning categories, including the General Business zones. These amendments clearly demonstrate the City's strategic intent to promote appropriate urban intensification, optimise the use of well-located land, and accommodate growth through higher-density development in areas with established infrastructure, public transport accessibility, and a strong mix of land uses. The proposed rezoning is therefore aligned with the City's evolving planning framework and its objective of directing investment and development towards suitable urban locations such as Sea Point.

The proposed building, located on a mid-block site, represents an appropriate and desirable form of urban densification. Unlike corner properties that typically provide opportunities for greater visual prominence and additional setbacks, the efficient development of a constrained mid-block site requires a building form that maximises the available footprint to ensure the optimal and sustainable use of well-located urban land.

The absence of setbacks reinforces a continuous street edge, strengthens the established urban fabric, and contributes to a more active and pedestrian-oriented public realm. Concentrating development vertically rather than horizontally allows increased density to be accommodated without expanding the city's urban footprint, supporting compact city principles and making more efficient use of existing infrastructure, public transport, and surrounding amenities.

The proposed development therefore represents a logical and contextually appropriate response to the site's constraints while promoting sustainable urban intensification, efficient land use, and a vibrant mixed-use city environment. The proposal will not result in unreasonable impacts on neighbouring rights in terms of privacy, outlook, access to light, or amenity. The additional height and bulk enabled through the GB6 zoning are required primarily to achieve a viable hotel development on a constrained site and have been accommodated in a manner that avoids unacceptable adverse impacts on adjoining properties. The rezoning therefore represents an appropriate balance between enabling sustainable urban development and protecting the legitimate interests of neighbouring landowners.

Setback Departures: Due to the limited size and mid-block location of the subject property, the provision of conventional building line setbacks is neither practical nor appropriate. Requiring setbacks would significantly reduce the already constrained developable footprint, compromising the viability and economic feasibility of the proposed development. In an urban context where land is scarce and intensification is encouraged; the efficient utilisation of the site is essential to achieving a sustainable development outcome.

The absence of building line setbacks will not result in undue adverse impacts on adjoining properties. The additional shadow cast by the proposed development is minimal and is largely confined to the immediate urban environment where similar built form is also approved. Furthermore, the mid-block position of the site limits the extent of overshadowing when compared to a comparable corner site. The proposal therefore strikes an appropriate balance between optimising the development potential of a constrained urban site and protecting the amenity of neighbouring properties, while supporting the City's objectives for appropriate urban densification.

Height Departure: The height for the proposed hotel is both desirable and appropriate, as it enables the development to achieve a high-quality architectural outcome on a constrained urban site while making efficient use of well-located land within Sea Point. The additional height allows for improved building proportions, enhanced guest amenities, and more effective integration of servicing and building systems without materially increasing the building footprint. It also supports the City's objectives of urban intensification and the efficient utilisation of land within established mixed-use areas, particularly in locations that are well served by public transport and existing infrastructure. The increase in height will not result in unacceptable impacts on the surrounding area, as any additional shadowing, visual effects, or overlooking remain limited within the dense urban context. Accordingly, the proposed additional height represents a balanced planning response that improves the viability and quality of the hotel while remaining consistent with the broader policy objectives for sustainable urban development and intensification in Sea Point.

Socio-Economic Impact: Approval of the application under consideration and construction of the proposed hotel and shops will result in a significant increase in the value of the subject properties and a concomitant increase in property values in the area. This will result in a substantial increase in property rates and taxes payable to the City. Furthermore, construction work will result in the creation of temporary employment opportunities and income generation. The economic impact of the proposal will therefore be positive.

Compatibility: The construction of new hotel buildings including ancillary uses permitted as a right in the GB5 and proposed GB6 zone; the proposal is therefore compatible with the zoning of the subject property and that of properties in the immediate vicinity of the subject property. Given the existing high-density, residential-use, and business-use character and the potential higher-density, residential-use character of the surrounding area, the proposal is also considered to be compatible with both the existing and future character of the neighbourhood. This makes the subject site desirable to be developed as per the proposals and still be compatible with the surrounding buildings.

The proposed building will be set back 0m from the property's street boundaries; this is in line with the built character of the area where buildings built on or close to the street boundaries of properties define the street space. The proposed building has been designed to complement the existing built form in the area and the streetscape, while the building above steps back from the building line, to break the monotony of the straight up building form in the area.

The design is consistent with the City's Urban Design and Tall Building Policy, contributing to the quality of the public realm at street and first floor level and stepping back on the highest level the building fits into the context with no impact on the area. The increased allowable building height as per the 2025 Development Management Scheme further alludes to the city's desirability for increased densification.

Impact on Engineering Services: There is some impact envisioned on the existing engineering services as the proposal is to rezone from GB5 to GB6, however this can be addressed by means of Development Contribution charges.

Impact on Safety, Health and Wellbeing: The impact on the safety, health and wellbeing of the surrounding community will be positive given that the introduction of a residential component here will improve general safety and security.

Impact on Bio-Physical Environment and Heritage: The existing building is older than 60 years and is graded as "some heritage significance evident" as such a HWC application will be made separately. It should be noted that the property does not fall within a Heritage Protection Overlay Zone (HPOZ).

Traffic Impact and Parking: The property is within a PT2 zone so there is no on-site parking requirement. No provision for parking will therefore be made.

4. REASONS FOR SUPPORTING THE PROPOSAL

In terms of Section 99 (1) of the Municipal Planning By-law an application must be refused if the application does not satisfy the minimum requirements as listed in this section.

Therefore, the desirability assessment in terms of the relevant issues listed as part of Section 99(3) of the MPBL, the reasons for support of the proposal can be summarised below:

- The application will have no impact on the surrounding property owners as motivated above.
- The decision-making criteria in Section 99(1), 99(2) and 99(3) have been complied with.

- As argued above the proposal complies with the relevant Council spatial development framework, i.e. the Table Bay District Plan which is a component of the Cape Town Spatial Development Framework.
- The application is considered to be desirable as it facilitates appropriate intensification and densification within a mixed use development situated in an activity corridor along Main Road. The stepped nature of the balcony design facing the north and south, this will serve to mitigate visual impacts of massing and height.
- Given the application made and legislation specified in Section 1.3 of this report, it is clear that the application complies with the requirements of the Municipal Planning By-law;
- As argued above it is clear that the proposal complies with the relevant Council policies, i.e. the City's Densification Policy & Transport Orientated Development Strategy Framework;
- Given the assessment above and for the reasons provided in Section 3.1.5 of this report, it is the opinion that the proposal is desirable in terms of the relevant consideration criteria stated in Section 99 (3) of the Municipal Planning By-law;

Given the above, the application does not fail to comply with the minimum requirements as stated in Section 99 (1) of the Municipal Planning By-law and should therefore not be refused but supported by the decision-maker.

In terms of Section 99 (2) of the Municipal Planning By-law, if the application is not refused in terms of Section 99 (1), when deciding whether or not to approve the application, the decision-maker must consider all relevant considerations as listed in this section. In this regard, the following should be noted:

- The proposal complies with the applicable spatial development framework, i.e. the Table Bay District Plan which is a component of the Cape Town Spatial Development Framework;
- The proposal broadly complies with the criteria of the Development Management Scheme;
- As argued in this report the proposal is considered to be desirable;
- As demonstrated in this report the proposal will not have any negative impact on existing rights;
- The proposal adheres to the overarching principles relating to efficiency and densification as contained in the relevant national and provincial planning legislation.

In the light of the above it is the opinion that the decision-maker should approve the application in terms of Section 98 of the Municipal Planning By-law, 2025 without the need for public advertising.

Theo Kruger

SECTIONAL PLAN No. SS	SHEET 8	S.G. No. D28/2025
Registered at Cape Town for Registrar of Deeds Date	OF 10 SHEETS	Approved  for Surveyor-General Date 19-02-2025
AMENDING SECTIONAL PLAN OF DESTRUCTION OF SECTION 17 & 18 IN TERMS OF SECTION 17 OF THE SECTIONAL TITLE SCHEMES MANAGEMENT ACT, No. 8 of 2011 (and affects Sectional Plan S.G. No. D792/2005 and SS 30/2006)		
NAME OF SCHEME: ALICE COURT		
DESCRIPTION OF LAND ACCORDING TO DIAGRAM: Remainder Erf 416 Sea Point West Situate in the City of Cape Town Administrative District of Cape. Province of the Western Cape Measuring 497 square metres DIAGRAM No.: S.G. No. 343/1954		
NAME OF LOCAL AUTHORITY: City of Cape Town		
DESCRIPTION OF BUILDINGS: One Building, namely:		
1. Building 1 on Sheet 1 of Sectional Plan S.G. No. D792/2005 and SS 30/2006 and subsequent phases 2. Building 1 now also comprising Sections 17 & 18 being demolished		
ENCROACHMENTS ON THE LAND: None		
EXCLUSIVE USE AREAS: None		
CERTIFICATE: I, Robert Keith Owen, hereby certify that I have prepared sheets 8 to 10 inclusive of this sectional plan from survey in accordance with the provisions of the Sectional Titles Act, No. 95 of 1986, and the regulations promulgated thereunder.		
Date: 5 December 2024	Signed..... 	Geosat Surveys 46 Welgelee Road Constantia 7806
Registration Number PLS 1340 D		
Survey Records No.: 59/2025 880/2024	Compilations: BHSW-2263 (M1571) BHSW-2291 (M1574)	

		SHEET 9 OF 10 SHEETS		S.G. No. D28/2025	
		AMENDING SECTIONAL PLAN OF DESTRUCTION OF SECTION 17 & 18 IN TERMS OF SECTION 17 OF THE SECTIONAL TITLE SCHEMES MANAGEMENT ACT, No. 8 of 2011 (and affects Sectional Plan S.G. No. D792/2005 and SS 30/2006)		Approved <i>BC Watson</i> for Surveyor-General 19-02-2025 Date	
NOTES: - For participation quotas, see sheet 3. (C.P.) denotes common property. - Section 17 & 18 are destroyed. - The Block Plan is unaffected.		Robert Owen Professional Land Surveyor 46 Welgelee Road Constantia 7806 <i>RK Owen</i> Date: 5 December 2024		Signed ALICE COURT DRAWING TITLE: BUILDING 1 GROUND FLOOR PLAN SCALE 1/150	

SHEET10OF10SHEETS	S.G. No. D28/2025
AMENDING SECTIONAL PLAN OF DESTRUCTION OF SECTION 17 & 18 IN TERMS OF SECTION 17 OF THE SECTIONAL TITLE SCHEMES MANAGEMENT ACT, No. 8 of 2011 (and affects Sectional Plan S.G. No. D792/2005 and SS 30/2006)	Approved  for Surveyor-General 19-02-2025 Date

SECTION No.	FLOOR AREAS (square metres)	PARTICIPATION QUOTA PERCENTAGE
RESIDENTIAL		
1	80	7.5472
2	89	8.3962
3	71	6.6981
4	82	7.7358
5	90	8.4905
6	75	7.0755
10	53	5.0000
11	42	3.9623
12	42	3.9623
13	65	6.1321
17	DESTROYED	
18	DESTROYED	
TOTAL	689	65.0000
NON-RESIDENTIAL		
7	SUBDIVIDED	
8	125	17.4302
9	SUBDIVIDED	
14	47	6.5538
15	47	6.5538
16	32	4.4622
TOTAL	251	35.0000
GRAND TOTAL	940	100.0000

Notes

1. Sections 17 & 18 destroyed.

Robert Owen Professional Land Surveyor 46 Welgelee Road Constantia 7806  Date: 5 December 2024	Signed ALICE COURT DRAWING TITLE: PARTICIPATION QUOTA SCHEDULE
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