

CITY OF CAPE TOWN

RE. ERF 20871, BELLVILLE, CAPE TOWN

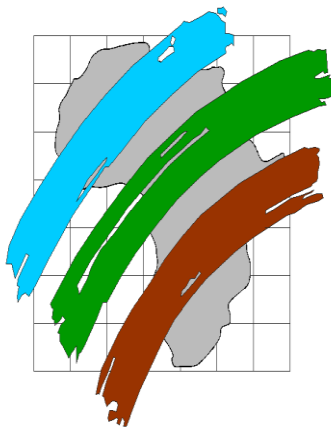
APPLICATION FOR REZONING FROM R 1 TO GR 2, REGISTRATION OF A
SERVITUDE, BUILDING LINE DEPARTURES, SITE DEVELOPMENT PLAN AND
LANDSCAPING PLAN APPROVALS

REVISION 2

APPLICANT

NuPLAN AFRICA

INNOVATIVE PLANNING SOLUTIONS



PROJECT DETAIL

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APPLICANT DETAILS:	NuPLAN AFRICA TOWN PLANNERS 13 Nautilus Crescent Big Bay
PROJECT REFERENCE:	B 3.003 (1)
DATE:	29 April 2026

APPLICATION PARTICULARS

APPLICATION FOR:

1. The **Rezoning** of the property from R1 to GR 2 in terms of Section 42 (a)
2. **Permanent building line** departures in terms of Section 42 (b).
3. Approval of a **Site Development Plan** and **Landscaping plan** in terms of Section 42(i)
4. Registration of a **Services servitude** in terms of Section 42(d).

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1. INTRODUCTION

1.1 THE ASSIGNMENT

NuPLAN AFRICA has been appointed by Westco Prop Proprietary Limited, to lodge an application for the rezoning of RE. Erf 20871, Oak Glen Bellville.

Power of Attorney in favour of Nuplan Africa is attached as **ANNEXURE 3**. Also included is the resolution signed by the directors enabling Mr. Nigrini to sign all documentation on the company's behalf (**ANNEXURE 2**).

1.2 THE BACKGROUND

The subject property is ideally located within the suburb to accommodate moderate densification in terms of the City's policies. The developer identified a need for apartment accommodation in the area and subsequently purchased it for development.

1.3 PURPOSE OF THE ASSIGNMENT

The purpose of this assignment is thus to obtain the necessary land use rights to enable the developer to develop the property for general residential apartments.

Details of the application includes:

- The **Rezoning** of the property from R1 to GR 2 in terms of Section 42 (a).
- **Permanent building line** departures in terms of Section 42 (b).
- Approval of a **Site Development Plan** and **Landscaping plan** in terms of Section 42(i)
- Registration of a **Services servitude** in terms of Section 42 (d).

1.4 PROPERTY DESCRIPTION

The following table include the property details of the subject property:

Erf No.	RE. Erf 20871 Bellville
Extent of Property (ha)	Approximately 2520 sq m
Current Zoning	R 1
Designation District Plan	Tygerberg District Plan

The property is held under Deed of Transfer no T57302 / 2025 (See attached as **ANNEXURE 4**). The conveyance certificate confirms that there are **no** restrictive title conditions affecting the proposed land-use application on the subject property (**ANNEXURE 5**).

1.5 LOCALITY

The subject property is bounded by Bourgogne, Feldhausen & Spolander Streets in Street, Oak Glen, Bellville as indicated on the attached Locality map.

1.6 EXISTING ZONINGS AND LAND USE & SERVICES

The subject property is currently zoned as R 1. An existing services servitude is registered against the property which will be cancelled. The surrounding land area depicts a mix of residential uses with complementary social facilities to the northeast.

and SDP.

The attached bulk civil and electrical report confirms availability of services for the envisaged development proposal.

1.7 PHYSICAL CHARACTERISTICS

The property was surveyed by a professional land surveyor determining the cadastral boundaries and associated features of the subject property. The property is relatively level/flat with no physical features hindering the proposed development.

1.8 POLICY INFORMANTS

ECONOMIC GROWTH STRATEGY (EGS)

The EGS strives to contribute to Cape Town as a global competitive city through fostering competitiveness, productivity, infrastructure investment, trade promotion, inclusion and sustainable economic growth.

The development proposal is for a moderately densified residential development in an residential setting, on a residential zoned property. Subsequently, in essence, the development proposal will not significantly contribute to the economic promotion and the development goals set out in the said strategy. However, the construction phase and maintenance of the development proposal will contribute to job creation through the construction and general maintenance work. The additional residential opportunities created by the development proposal will be for the local Cape Town workforce.

SOCIAL DEVELOPMENT STRATEGY (SDS)

The development strategy strives to foster social development of people, especially the poor and marginalised, through the promotion of safety, poverty alleviation, social integration and access to infrastructure and social facilities.

Due to the development proposal being a market related residential development, it does not directly contribute to all the aspects set out in the said strategy. However, housing is a basic social need and there is a great housing shortage in Cape Town. As such, the development proposal contributes to the said housing shortage and the social need for housing. The development is aimed at and developed for the letting market. Additionally, the development will be secure, through having access control and being well illuminated during nighttime. In so doing the development proposal contributes to the "Promotion of safe households and communities".

MSDF & TYGERBERG DISTRICT PLAN (BDP)

The subject property falls within the Tygerberg District of the Municipality of the City of Cape Town, and development in this area is guided by the Tygerberg District Plan (BDP) technical report (2023). The district plan specifically includes the subject property within the urban development zone. The property falls within an area that promotes modest densification. The property falls furthermore in the existing urban area where the policies support incremental densification.

As such, the development proposal is geared to facilitate moderate densification, in a way that complements the character of the existing neighbourhood. In so doing, the development proposes innovative architectural and urban design elements and principles, which minimises the impact of the development on neighbouring properties.

TRANSIT ORIENTATED DEVELOPMENT

The Intent of the said policy is to to address spatial inequality, improve public transport affordability and address sprawl, which is driven by the integration of sustainable public transport and strategic land use intervention. It also fosters the principles of affordability, accessibility, efficiency, intensification and densification.

The proposed development fully abides by this TOD strategy in the follow ways. The development is well located and in close proximity of economic opportunities and social facilities (schools, churches and sport facilities). The development proposal promotes moderate densification as well as urban intensification through utilising the current well-located property for residential purposes.

DENSIFICATION STRATEGY

The densification strategy (2012) promotes the concepts of appropriate densities within a given context, ecological sustainability by limiting sprawl, access to social and economic resources, a greater mix of uses other than residential and appropriate urban design principles (property orientation, erf sizes and footprint scale).

Accordingly, the development proposal promotes the principles set out in the Densification strategy in the following ways. The development proposal fosters ecological sustainability through being an infill redevelopment on a well-located vacant pocket of land and does not promote urban sprawl by intruding on ecologically sensitive land beyond the urban area. The development proposal abuts other surrounding medium density properties (located to the southeast) and innovative urban design principles were introduced to blend in with the surrounding context. The scale and bulk of the proposal (a number of smaller double storey residential units) fit the surrounding urban fabric.

TALL BUILDING POLICY

Based on the attached SDP the following relevant sections are discussed below:

Policy 4 relating to buildings to contribute to a quality environment - The street façade is complemented by landscaping as per the landscaping plan to soften the street elevation. The

two storey buildings facilitate ample light and sunlight for the neighbours. Refer to the SDP as included in the application.

Policy 5.2 relating to the efficient use of the site – the built form is optimised in relation to the surrounding built environment. The buildings are all two floors to complement the existing built environment abutting the subject property. In addition, functional open space is provided on the periphery (boundaries).

Policy 6.4 relating to parking arrangements – The parking is provided on ground floor with the buildings surrounding same. As such the parking arrangement complements the built form.

Policy 6 relating to context – The built form represents a number of smaller double storey units as to fit the surrounding built form. The attached proposal thus adheres to the policy and are designed as 2-storey buildings that pretty much match and complement the surrounding built environment.

2. PROPOSED DEVELOPMENT & CONDITIONS

2.1.1 PROPOSED REZONING & SERVICES SERVITUDE

To facilitate the construction of the residential units, the property needs to be rezoned from R 1 to GR2. As mentioned, an existing services servitude crossing the property will be cancelled and a new servitude registered as per the attached proposed diagram (**Plan 6**).

2.1.2 SITE DEVELOPMENT PLAN (PLAN 3)

The Site Development Plan package (SDP) is attached as **PLAN 2**.

The subject property will be accessed via Spolander Street leading into a communal parking area.

As depicted in the SDP package the proposed built form is mainly loose standing double storey structures which blends into the abutting neighbourhood.

The new buildings will thus consist of 5 double storey residential units consisting of 4 units per block (20 in total) with a total floor area 1546 m sq.

Provision is made for 32 parking bays (including a disability bay). Attached is a TIS prepared by out traffic engineer detailing all traffic considerations.

The Site development plan adheres to all By-law parameters barring building line departures as discussed below. Refer to the table as included in the SDP.

2.1.3 BUILDING LINE DEPARTURES (PLAN 4)

Based on the SDP, the following permanent building line departures are required to implement the proposal:

- Spolander Street, 3,0m in lieu of 4,5m,

- Bourgogne, 3,0m in lieu of 4,5m,
- Feldhausen Street 2,8 m in lieu of 4,5m,
- C/O Spolander and Feldhausen streets 1,712 m in lieu of 4,5m
- C/O Feldhausen and Bourgogne streets 1,709 m in lieu of 4,5m

The street building line departures is prompted by the internal design of the blocks and parking area.

As the proposed building is mainly a double storey structure the departures will not have any negative impact on the surrounding landowners.

Please refer to the attached **Plan 4** depicting the proposed departures.

2.1.4 LANDSCAPING PLAN (PLAN 3)

The attached Landscaping plan depicts the proposed landscaping to complement the built structures.

3. DESIRABILITY OF PROPOSAL

It is motivated that the proposed development is desirable for the following reasons:

The development proposal is in-line with the applicable policies of the city of Cape Town and the local area plans as discussed above.

The proposal will facilitate social integration by providing for a wider choice of accommodation in the local neighbourhood.

The proposed development will facilitate sustainable services and landscaping which minimises resources usage within the context of water use and gardens.

The location of the subject property, situated within the urban area, grants the opportunity to meaningfully integrate the subject property with the adjacent developments, facilities and jobs.

The property is not subject to any known environmental restraints.

The development proposal abides by the principles and strategies of the various regional and municipal strategies.

Council previously approved GR 2 zonings which is suitably located within the surrounding local area where moderate densification is occurring. As such, it contributes towards the City's vision to densify and optimise (within context) the use of infill space within the existing urban structure. The principle of developing moderate general residential apartments has been settled.

The development proposal has been refined to mainly smaller loose standing double storey buildings to have a positive impact on the surrounding built form. As such the development proposal depicts an appropriate and aesthetically pleasing densification model.

The proposed bulk of the building compliments the existing urban form seeing that the proposed location, coverage and floor factor is much lower than allowed in the CoCT planning by-law, 2025.

The height of the building being much less than 15 meters allows for a lessened impact on the surrounding built form and the internal layout ensures acceptable privacy for the neighbouring properties within the context of a GR 2 zoning.

The building line departures are minimum and with the proposed smaller loose-standing double storey residential units, the neighbouring properties not the streetscape are not negatively impacted. Appropriate landscaping will be implemented to "soften" the "look and feel" of the development.

A services servitude to re-locate the services over the subject property have been added.

The development will facilitate the need for smaller more affordable market related accommodation for the middle-income housing demand. This will facilitate Council's vision of integration of the residential market segment.

3.1 DESIRABILITY CRITERIA

The principles for land development set out in SPLUMA stipulates that spatial planning, land development and land use management should be guided by the principles of *spatial justice, spatial sustainability, efficiency, good administration and spatial resilience*.

The table below outlines the principles and indicates how the application is in line with the principles, where relevant and if applicable.

PRINCIPLES	ALIGNMENT OF APPLICATION
<p>(a) The principle of SPATIAL JUSTICE, whereby –</p> <ul style="list-style-type: none"> (i) past spatial and other development imbalances must be redressed through improved access to and use of land; (ii) spatial development frameworks and policy at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation; (iii) spatial planning mechanisms, including land use schemes, must incorporate provisions that enable redress in access to land by disadvantaged communities and persons; (iv) land use management systems must include all areas of a municipality and specifically include provisions that are flexible and appropriate for the management of disadvantaged areas, informal settlements and former homeland areas; (v) land development procedures must include provisions that accommodate access to secure tenure and the incremental upgrading of informal areas; and (vi) a Municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the ground that the value of land or property is affected by the outcome of the application. 	<p>1. Provision of Well-Located Rental Housing The proposed development will introduce additional rental housing units within an established residential area, improving access to accommodation in a location that is close to economic opportunities, schools, retail facilities, and public transport routes. Providing rental units in well-located areas is an important mechanism for improving housing accessibility for individuals who may not yet be in a position to purchase property.</p> <p>2. Increased Housing Opportunities The development will increase the supply of rental accommodation in the area, which can assist in addressing the growing demand for well-located rental housing in the City of Cape Town. By increasing housing supply within existing urban areas, the development contributes to more efficient use of urban land and infrastructure.</p> <p>3. Access to Employment and Services Residents will benefit from the proximity to employment nodes, transport corridors, schools, and commercial facilities, reducing commuting distances and associated transport costs. This improves residents' access to economic opportunities and daily services.</p> <p>4. Support for Urban Densification The development promotes appropriate densification within the</p>

	<p>existing urban footprint, which aligns with municipal spatial planning policies that encourage more efficient land use and reduced urban sprawl.</p> <p>Target Market The proposed rental units are expected to attract tenants within the middle-income rental market, including: Young professionals working in nearby areas Individuals and couples seeking well-located accommodation Small families People relocating to the area for employment Individuals who prefer rental accommodation rather than property ownership The units will offer practical and well-located living spaces at rental levels that are competitive within the local market.</p> <p>Rental Positioning The rental units will be positioned within the moderate to mid-market rental bracket relative to similar accommodation in the surrounding area. This approach allows the development to: Provide accessible rental housing options Support tenants who are not yet able to purchase property Offer quality accommodation in a well-located area</p> <p>Summary The development contributes to spatial justice by increasing the availability of well-located rental accommodation, supporting urban densification, and providing access to housing opportunities for residents who may not yet be able to enter the property ownership market.</p>
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<p>(b) The principle of SPATIAL SUSTAINABILITY whereby spatial planning and land use management systems must –</p> <ul style="list-style-type: none"> (i) promote land development that is within the fiscal, institutional and administrative means of the Republic; (ii) ensure that special consideration is given to the protection of prime and unique agricultural land; (iii) uphold consistency of land use measures in accordance with environmental management instruments; (iv) promote and stimulate the effective and equitable functioning of land markets; (v) consider all current and future costs to all parties for the provision of infrastructure and social services in land developments; (vi) promote land development in locations that are sustainable and limit urban sprawl; and (vii) result in communities that area viable. 	<ul style="list-style-type: none"> (i) The development is an infill development, which promotes a more compact spatial form which is resource efficient and will therefore not put any additional financial pressure on the Municipality in terms of infrastructure. The development is also not dependent on any public or Government funding. (ii) The subject property is in an established urban area and therefore no prime agricultural land will be affected. (iii) The proposed development is an infill development and will have no negative environmental impacts. (iv) The proposed development does stimulate effective functioning of land markets, as the intention with the application is to let units in the open market. (v) The subject property is located in an area where infrastructure is available, but if any associated costs arise, the developer will be responsible and therefor there will be no costs to any other parties. (vi) The proposed rezoning is in an established urban area and in an area where moderate densification is promoted by the SDF to limit urban sprawl. (vii) Bellville is already a viable community. The proposed rezoning will have a positive impact on the viability as it will create residential opportunities in an existing established residential area.
<p>(c) The principle of EFFICIENCY whereby -</p> <ul style="list-style-type: none"> (i) Land development optimises the use of existing resources and infrastructure; (ii) decision-making procedures are designed to minimise negative financial, social, economic or environmental impacts; and 	<ul style="list-style-type: none"> (i) The rezoning promotes moderate densification in an existing and established urban area and therefor promotes development that is resource and infrastructure efficient. (ii) This development proposal will not have any negative financial, social, economic or environmental impacts.

<p>(iii) development application procedures are efficient and streamlined and timeframes are adhered to by all parties.</p>	<p>(iii) This application is submitted in line with the Municipal Planning By-law requirements and all effort will be made by the Applicant that procedures are efficient, and timeframes are adhered to.</p>
<p>(d) The principle of SPATIAL RESILIENCE, whereby flexibility in spatial plans, policy and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.</p>	<p>Not applicable to this application.</p>
<p>(e) The principle of GOOD ADMINISTRATION, whereby -</p> <p>(i) all spheres of government ensure an integrated approach to land use and land development that is guided by the spatial planning and land use management systems as embodied in this Act;</p> <p>(ii) all government departments must provide their sector inputs and comply with any other prescribed requirements during the preparation or amendment of spatial development frameworks;</p> <p>(iii) the requirements of any law relating to land development and land use are met timeously;</p> <p>(iv) the preparation and amendment of spatial plans, policies, land use schemes as well as procedures for development applications, include transparent processes of public participation that afford all parties the opportunity to provide inputs on matters affecting them; and</p> <p>(v) policies, legislation and procedures must be clearly set in order to inform and empower members of the public.</p>	<p>(i) & (ii) The application is submitted to the Municipality in terms of the Municipal Planning Bylaw and will be circulated to the relevant sector departments for input and comments, thereby ensuring an integrated inter-governmental approach to land use planning. No amendment of the Spatial Development Framework is required as the application is deemed to be consistent with the MSDF as per Section 19(2) of LUPA.</p> <p>(iii) The relevant laws in this instance include SPLUMA, LUPA, Municipal SDF, the Municipal Planning Bylaw which has been addressed in this application.</p> <p>(iv) The application will go through a public participation process as prescribed by the Municipal Planning Bylaw.</p> <p>(v) The application process will be dealt with in terms of the relevant policies and legislation.</p>

The desirability of this development proposal will be assessed against the following desirability parameters as indicated in Municipal Planning By-Law, 2015: Cape Town Development Management Scheme:

Criteria	Alignment with Criteria
Economic Impact	The development will not have positive impacts on the area. As such, the proposed development will facilitate and contribute towards the local economy through job creation in the construction and operating phases of the development proposal.
Social Impact	The development proposal will not have any negative social impacts on the surrounding area. On the contrary, the development provides in the increasing residential demand within the greater Belleville community.
Scale of Capital Investment	As mentioned, the proposed project will facilitate and contribute towards the local economy and job creation during the construction and operating phase of the development proposal.
Compatibility with Surrounding Uses	The development proposal will be compatible with the surrounding uses. The development is located in an area identified for urban infill in an area already identified with a mix of residential densities.
External Engineering Services	There is sufficient Engineering services capacity to allow the proposed development to go ahead.
Safety, Health and wellbeing Of Surrounding Community	The nature of the development proposal does not have any adverse impact on the safety, health and/or wellbeing of surrounding communities. The construction phase will abide by the national health and safety regulations and the development will provide elderly health care services to the local community.
Heritage	The nature of the development proposal does not have any heritage impacts. There are no structures or vegetation on the site with heritage value.
Biophysical Environment	The nature of the development proposal does not have any Biophysical Environmental impacts, as there are no known environmental issues on the site.
Traffic Impact, Parking, Access and Related transport Considerations	The development proposal abides by the parking and traffic standards of the city of cape town.
Mitigating Issues	The application includes permanent building line departures to facilitate and accommodate the building footprints.

4. SUMMARY

In light of the above, Council is cordially requested to favourably consider the application for Rezoning, Services servitude, Site Development Plan, Landscaping plan and Permanent building line departures on the Rem Erf 20871, Bellville.

