



DEVELOPMENT MANAGEMENT SCHEME COMPLIANCE ADVISORY: 6 OF 2025

HEIGHT INTERPRETATION: ITEM 22(C) OF THE CITY OF CAPE TOWN DEVELOPMENT MANAGEMENT SCHEME (DMS)

This advisory replaces **Development Management Scheme Compliance Advisory: 5 of 2021 – Height Interpretation: Item 22(c) of the City of Cape Town Development Management Scheme (DMS)**, in respect of applications accepted under the 2025 amended Municipal Planning By-law.

Advisory 5 of 2021 will, however, continue to apply to applications accepted in terms of the 2022 amended Municipal Planning By-law until such applications have been finalised, after which it shall be deemed repealed.

1. Purpose

- 1.1 The purpose of this advisory is to indicate the Departmental position regarding the height interpretation in Item 22(c) of the DMS. It provides clarity and example illustrations on how the height provisions should be interpreted

2. Background

- 2.1 Item 22(c) provides for development rules related to height in the Residential Zoning 1: Conventional Housing (R1) and reads as follow:

(c) Height

- (i) The maximum height of a building, measured from the existing ground level to the top of building, shall be determined in accordance with the area of the land unit as shown in the following 'Table 2: floor factor, floor space, height and building lines in Residential Zoning 1';*
- (ii) Where a building is permitted in this zoning within 3 m of a common boundary, beyond the first 12 m along a common boundary, measured perpendicular from the street boundary line, the height will be limited to 4 m measured from existing ground level to top of building.*
- (iii) Notwithstanding the provisions in sub-paragraph (ii), within the first 12 m along a common boundary measured perpendicular from the street boundary line the height is determined in accordance with the 'Table 2: floor factor, floor space, height and building lines in Residential Zoning 1';*
- (iv) Earth banks and retaining structures are subject to item 126.*

- 2.2 The purpose of this advisory is to provide clarity and example illustrations on how these height provisions should be interpreted.

3. General application of item 22(c)

- 3.1 Item 22(c)(i) confirms that the 'Table 2: floor factor, floor space, height and building lines in Residential Zoning 1' must be used to determine heights in the R1 zoning.
- 3.2 Notwithstanding item 22(c)(i), item 22(c)(ii) states that if the development rules allow a structure beyond the first 12 m within 3 m of a common boundary then that portion of any building may not exceed 4m in height. This rule is applicable to all erf size categories in the R1 zoning. So regardless of whether the building line is 0m, any portion of a structure beyond the first 12 m within 3m of the common boundary may not exceed 4m in height. This height limitation is also applicable to a structure requiring a departure within 3m of a common boundary and a further departure would be required should the structure be higher than 4m.
- 3.3 Notwithstanding item 22(c)(ii), item 22(c)(iii) provides that within the first 12 m along a common boundary, measured from the street boundary line, the permissible height is determined in accordance with 'Table 2: floor factor, floor space, height and building lines in Residential Zoning 1'. Accordingly, whether or not the building is constructed directly on the common boundary, if it falls within the first 12 m, its height must comply with the provisions of the aforementioned table.
- 3.4 Note well that if a departure is granted on a property of any size to allow structures on the common boundary and within the first 12 m measured perpendicular from the street boundary line, then the maximum permitted height will be in terms of 'Table 2: floor factor, floor space, height and building lines in Residential Zoning 1'.

4. Development rules applicable to erven ≤ 200 m²

Floor factor	Maximum floor space	Coverage	Maximum height above existing ground level	Street boundary building line	Common boundary building line
			To top of building		
1,0	N/a	80%	9,0m	1,0m	0,0m
			22(c)(ii) Where a building is permitted in this zoning within 3 m of a common boundary beyond the first 12 m along the common boundary, measured perpendicular from the street boundary line, the height will be limited to 4 m measured from existing ground level to top of building. 22(c)(iii) Notwithstanding the provisions in sub-paragraph (ii), within the first 12 m along a common boundary measured perpendicular from the street boundary line the height is determined in accordance with the 'Table 2: floor factor, floor space, height and building lines in Residential Zoning 1'		

Note: To be read in conjunction with all other development rules applicable to this erf size category

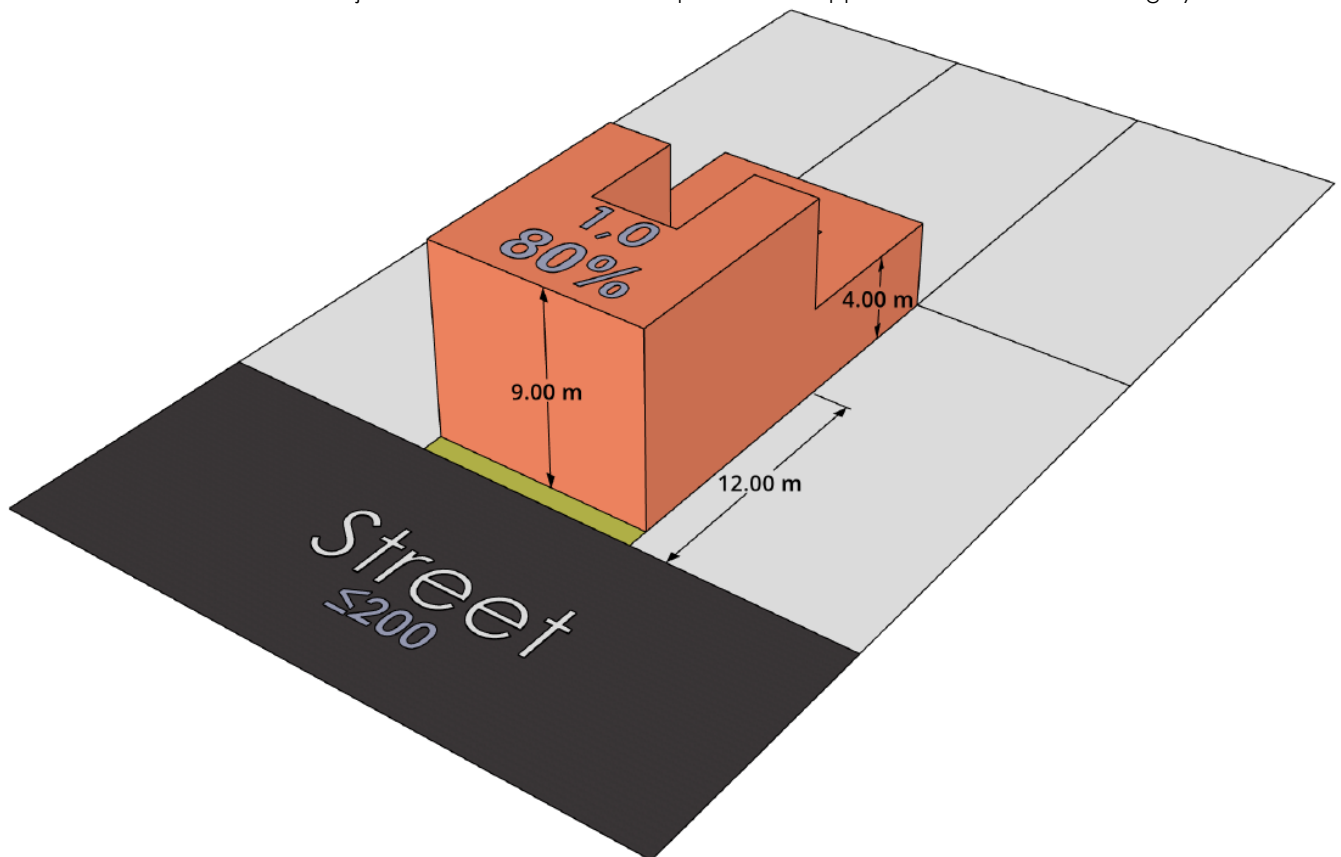


Figure 1: Erf size: ≤ 200 m² - Building which is not set back from the common boundary within the first 12m along a common boundary measured perpendicular from the street boundary line, as per item 22(c)(iii)

DEMONSTRATING COMPLIANCE WITH THE DEVELOPMENT MANAGEMENT SCHEME

In Figure 1:

- The grey areas represent neighbouring properties
- The floor factor is 1,0
- Coverage is 80%
- The building is within the first 12m perpendicular from the street boundary and can therefore extend to the heights stipulated in the table within the first 12m

5. Development rules for properties with the first 12m area

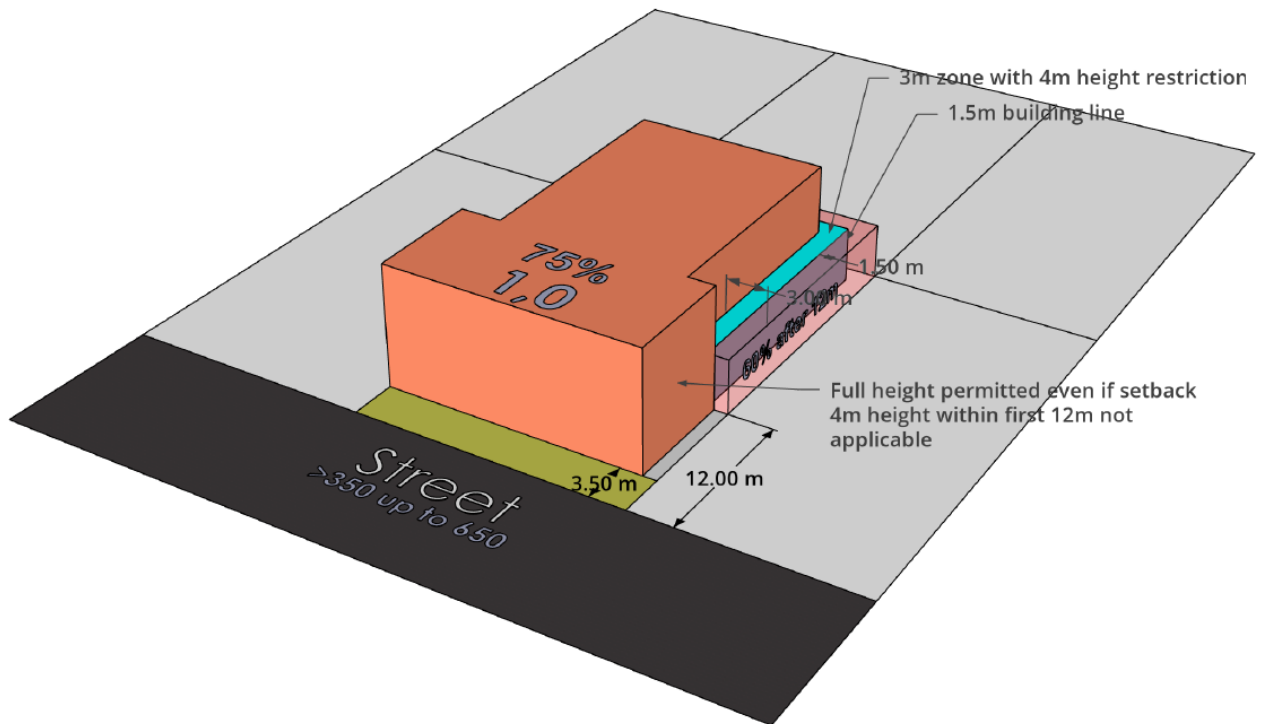


Figure 2: Erven with a 12m area: Buildings which are set back from the common boundary within the first 12m along a common boundary measured perpendicular from the street boundary line

In Figure 2:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries, as provided for in item 22(c)(ii)
- The floor factor is 1,0
- Coverage is 75%
- The maximum heights in accordance with the area of the land unit as shown in Table 2 will apply within the first 12m perpendicular from the street boundary, irrespective of a setback.
- The building complies with item 22(c)(iii), **meaning the height stipulated in item 22(c)(ii) of 4m is not applicable**. The height of the building can extend to the height in the table for the first 12m.

6. Development rules applicable to erven >200 m² up to 350 m²

Floor factor	Maximum floor space	Coverage	Maximum height above existing ground level	Street boundary building line	Common boundary building line
			To top of building		
1,0	N/a	80%	9,0m	1,5m	0,0m
			22(c)(ii) Where a building is permitted in this zoning within 3 m of a common boundary beyond the first 12 m along a common boundary measured perpendicular from the street boundary line, the height will be limited to 4 m measured from existing ground level to top of building. 22(c)(iii) Notwithstanding the provisions in subparagraph (ii), within the first 12 m along a common boundary measured perpendicular from the street boundary line, the height is determined in accordance with the 'Table 2: floor factor, floor space, height and building lines in Residential Zoning 1'		

Note: To be read in conjunction with all other development rules applicable to this erf size category

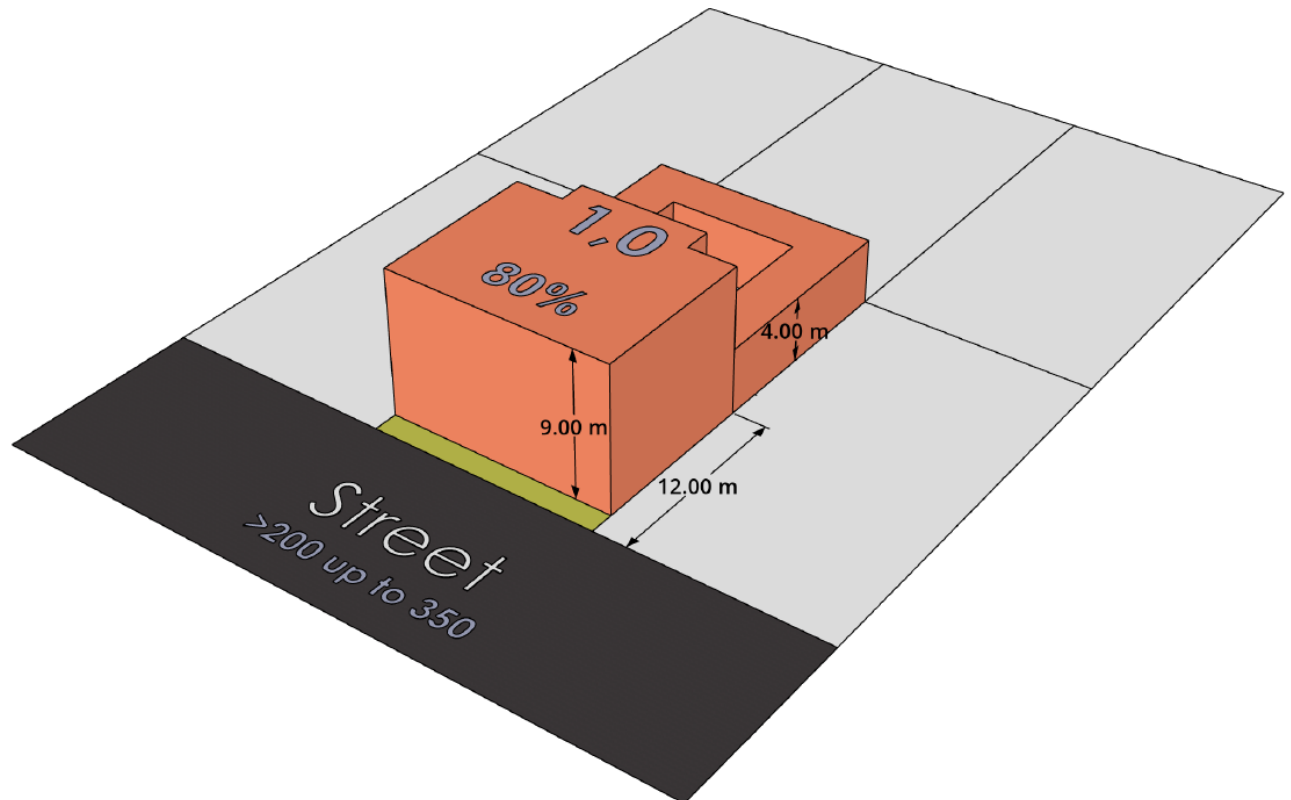


Figure 3: Erf size: >200 m² up to 350 m² - Building which is not set back from the common boundary within the first 12 m along a common boundary measured perpendicular from the street boundary line

In Figure 3:

- The grey areas represent neighbouring properties
- The floor factor is 1,0
- Coverage is 80%
- The building is not set back from the common boundary in the first 12m perpendicular from the street boundary and can therefore extend to the height in the table for the first 12m.

7. Development rules applicable to erven >350 m² up to 650 m²

Floor factor	Maximum floor space	Coverage	Maximum height above existing ground level	Street boundary building line	Common boundary building line
			To top of building		
1,0	N/a	75%	9,0m 22(c)(ii) Where a building is permitted in this zoning within 3 m of a common boundary beyond the first 12 m along the common boundary measured perpendicular from the street boundary line, the height will be limited to 4 m measured from existing ground level to top of building. 22(c)(iii) Notwithstanding the provisions in sub-paragraph (ii), within the first 12 m along a common boundary measured perpendicular from the street boundary line, the height is determined in accordance with the 'Table of floor factor, floor space, height and building lines in Residential Zoning 1'	3,5m	0,0 m for first 12,0 m measured perpendicular from street boundary and 0,0 m for 60% of total remaining linear distance along all common boundaries around land unit and 1,5 m for remainder, subject to paragraph d(iii).

Note: To be read in conjunction with all other development rules applicable to this erf size category

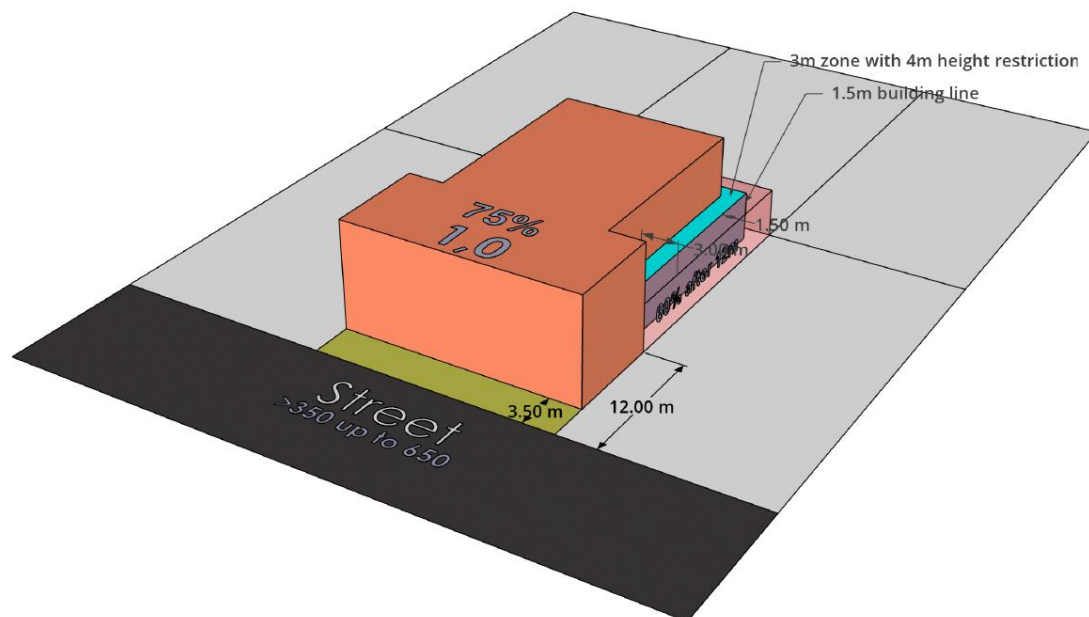


Figure 4: Erf size: >350 m² up to 650 m² - Building which is not set back from the common boundary within the first 12 m along a common boundary measured perpendicular from the street boundary line

In Figure 4:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries, as provided for in item 22(c)(ii)
- The floor factor is 1,0
- Coverage is 75%
- A linear calculation of 60% is applicable to determine common boundary building lines after the first 12m measured perpendicular from street boundary.
- If a building (in the 60% linear calculation) is on the common boundary or is within 3m of the common boundary, it must be 4m in height (as per the transparent area in figure 4) as per 22(c)(ii).

8. Development of a corner property

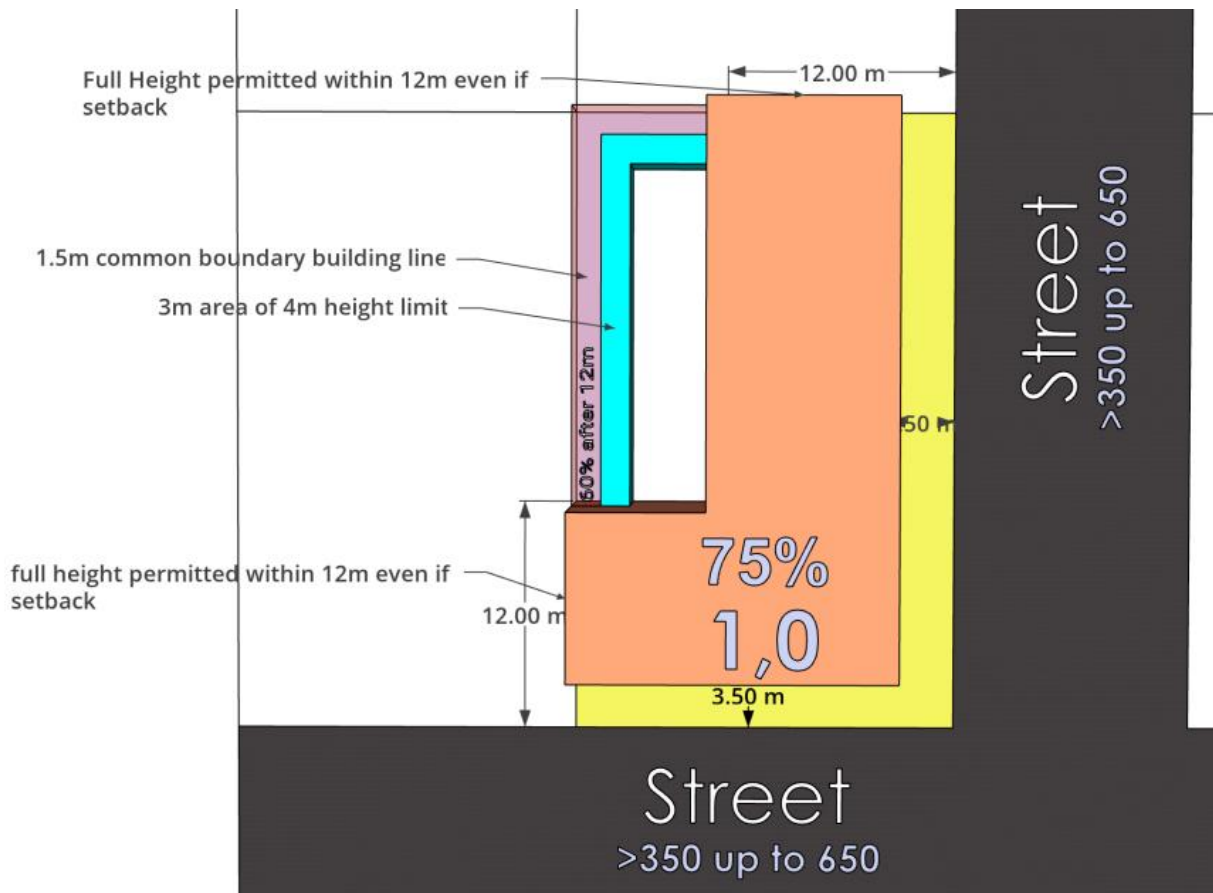


Figure 5: Erf size: >350 m² up to 650 m² – Corner property. Building which is not set back from the common boundary within the first 12 m along a common boundary measured perpendicular from the street boundary line on two streets

In Figure 5:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries, as provided for in item 22(c)(ii)
- The floor factor is 1,0
- Coverage is 75%
- A linear calculation of 60% is applicable to determine common boundary building lines after the first 12m measured perpendicular from street boundary.
- If a building (in the 60% linear calculation) is on the common boundary or is within 3m of the common boundary, it must be 4m in height (as per the transparent area in figure 5) as per 22(c)(ii).

9. Development of a property with no street boundary

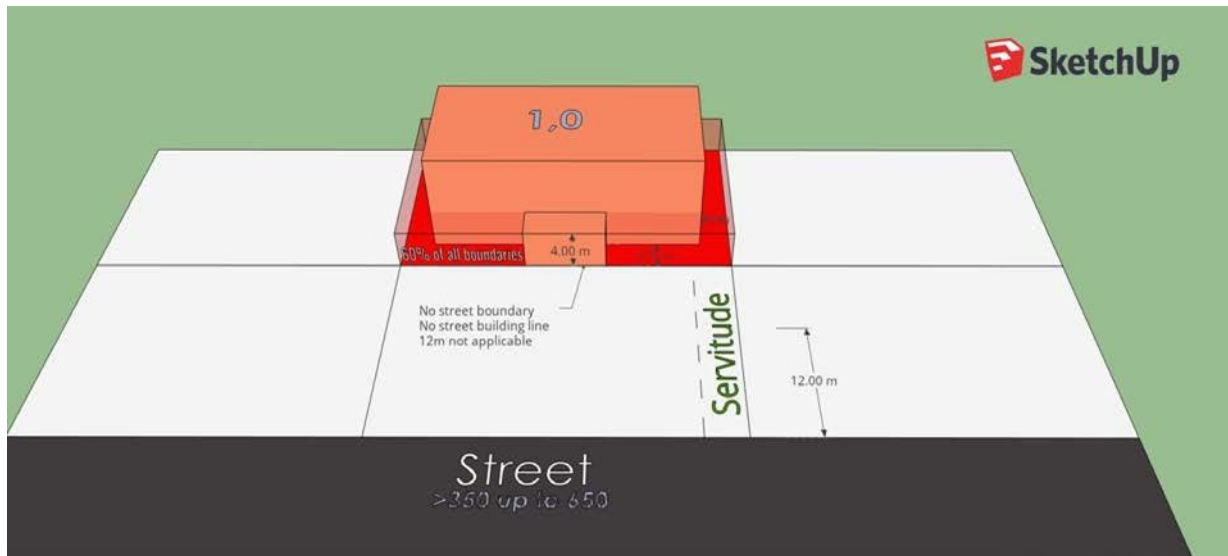


Figure 6: Erf size $>350 \text{ m}^2$ up to 650 m^2 – Property without a street boundary. Access through a servitude.

In Figure 6:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries as provided for in item 22 (c) (ii)
- The floor factor is 1,0
- Coverage is 75%
- A linear calculation of 60% is applicable to determine common boundary building lines after the first 12 m measured perpendicular from street boundary.
- If a building (in the 60% linear calculation) is on the common boundary or is within 3m of the common boundary, it must be 4m in height (as per the transparent area in figure 6 as per 22 (c) (ii)).

10. Development of narrow properties

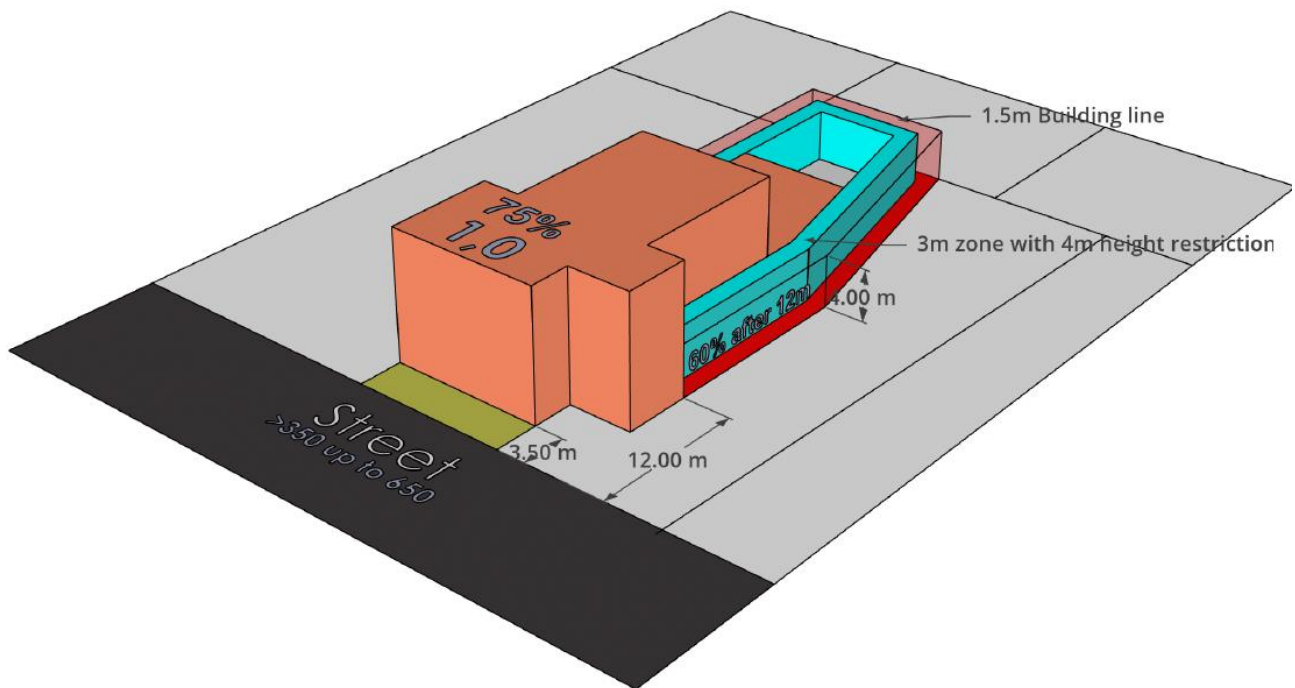


Figure 7: Erf size: >350 m² up to 650 m² – Long, narrow-shaped property. Building which is not set back from the common boundary within the first 12 m along a common boundary measured perpendicular from the street boundary line

In Figure 7:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries, as provided for in item 22(c)(ii)
- The floor factor is 1,0
- Coverage is 75%

11. Development rules applicable to erven >650 m² up to 1000 m²

Floor factor	Maximum floor space	Coverage	Maximum height above existing ground level	Street boundary building line	Common boundary building line
			To top of building		
N/a	1500 m ²	N/a	10,0m	3,5m	3,0 m
			22(c)(ii) Where a building is permitted in this zoning within 3 m of a common boundary, beyond the first 12m along a common boundary measured perpendicular, the height will be limited to 4 m measured from existing ground level to top of building. 22(c)(iii) Notwithstanding the provisions in sub-paragraph (ii), within the first 12 m along a common boundary measured perpendicular from the street boundary line, the height is determined in accordance with the 'Table of floor factor, floor space, height and building lines in Residential Zoning 1'		

Note: To be read in conjunction with all other development rules applicable to this erf size category

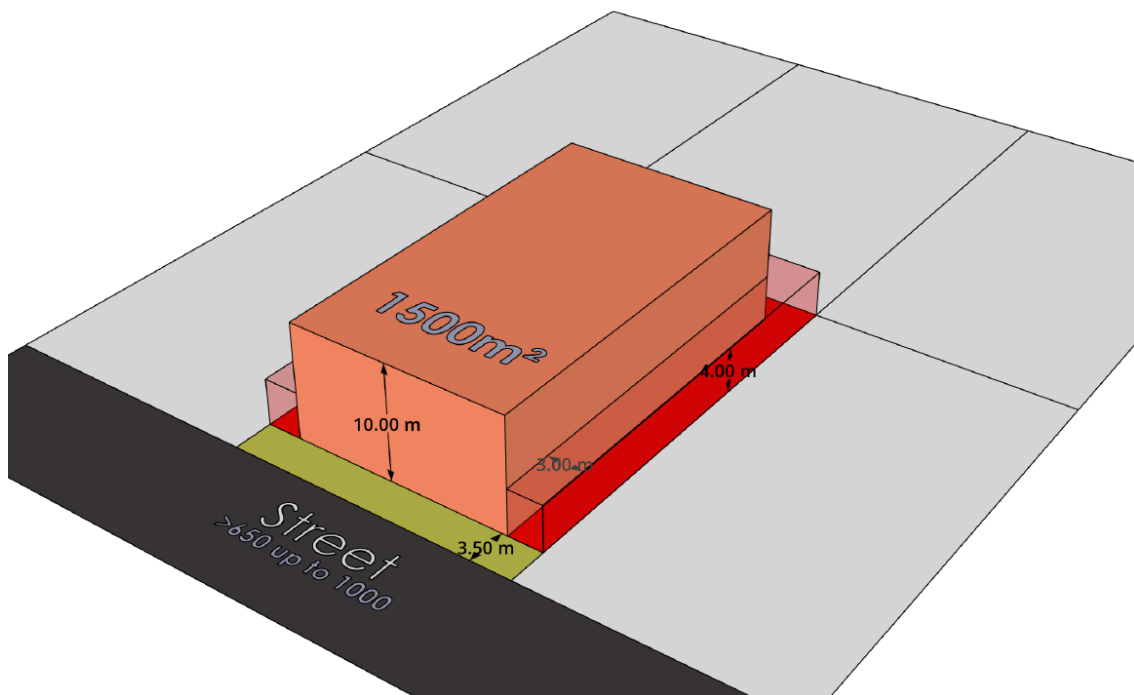


Figure 8: Erf size: >650 m² up to 1000 m²

In Figure 8:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries, as provided for in item 22(c)(ii)
- Floor factor is not applicable
- Maximum floor space is limited to 1500 m²
- Coverage is not applicable

- Any building permitted through a departure closer than 3m from the common boundary beyond the first 12m will be limited to 4m in height (note that 22(f) permits garages, carports and outbuilding to a certain extent).
- Any building permitted through a departure within the common boundary within the first 12m measured perpendicular from street boundary may have a height as per the 'Table of floor factor floor space and building lines in Residential Zoning 1' (see Figure 11)

12. Development rules applicable to erven >1000 m² up to 2000 m²

Floor factor	Maximum floor space	Coverage	Maximum height above existing ground level	Street boundary building line	Common boundary building line
			To top of building		
N/a	1500 m ²	N/a	10,0m	4,5m	3,0 m
			22(c)(ii) Where a building is permitted in this zoning within 3 m of a common boundary, beyond the first 12m along a common boundary measured perpendicular, the height will be limited to 4 m measured from existing ground level to top of building. 22(c)(iii) Notwithstanding the provisions in sub-paragraph (ii), within the first 12 m along a common boundary measured perpendicular from the street boundary line, the height is determined in accordance with the 'Table of floor factor, floor space, height and building lines in Residential Zoning 1'		

Note: To be read in conjunction with all other development rules applicable to this erf size category

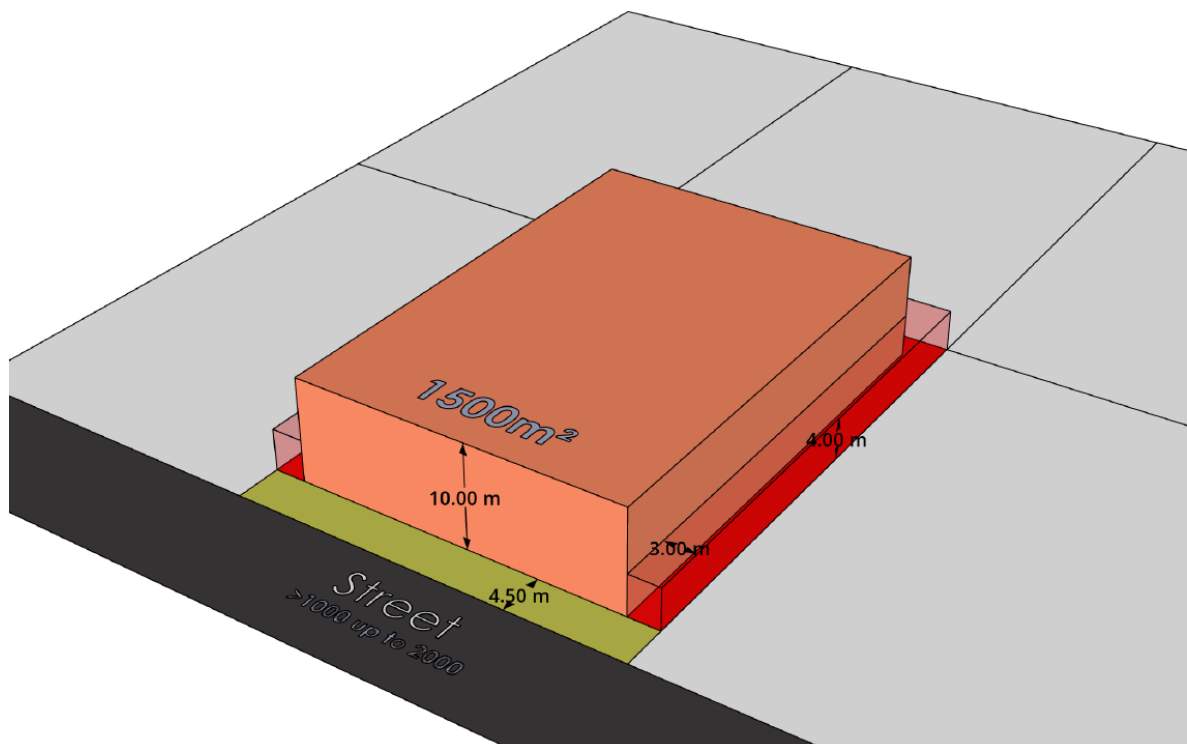


Figure 9: Erf size: >1000 m² up to 2000 m²

In Figure 9:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries, as provided for in item 22(c)(ii)
- Floor factor is not applicable
- Maximum floor space is limited to 1500 m²
- Coverage is not applicable
- Any building permitted through a departure closer than 3m from the common boundary beyond the first 12m will be limited to 4m in height (note that 22(f) permits garages, carports and outbuilding to a certain extent).
- Any building permitted through a departure within the common boundary within the first 12m measured perpendicular from street boundary may have a height as per the 'Table of floor factor, floor space, height and building lines in Residential Zoning 1' (see Figure 11)

13. Development rules applicable to erven >2000 m²

Floor factor	Maximum floor space	Coverage	Maximum height above existing ground level	Street boundary building line	Common boundary building line
			To top of building		
N/a	1500 m ²	N/a	10,0m	6,0m	6,0 m
			22(c)(ii) Where a building is permitted in this zoning within 3 m of a common boundary, beyond the first 12m along a common boundary measured perpendicular, the height will be limited to 4 m measured from existing ground level to top of building. 22(c)(iii) Notwithstanding the provisions in sub-paragraph (ii), within the first 12 m along a common boundary measured perpendicular from the street boundary line, the height is determined in accordance with the 'Table of floor factor, floor space, height and building lines in Residential Zoning 1'		

Note: To be read in conjunction with all other development rules applicable to this erf size category

DEMONSTRATING COMPLIANCE WITH THE DEVELOPMENT MANAGEMENT SCHEME

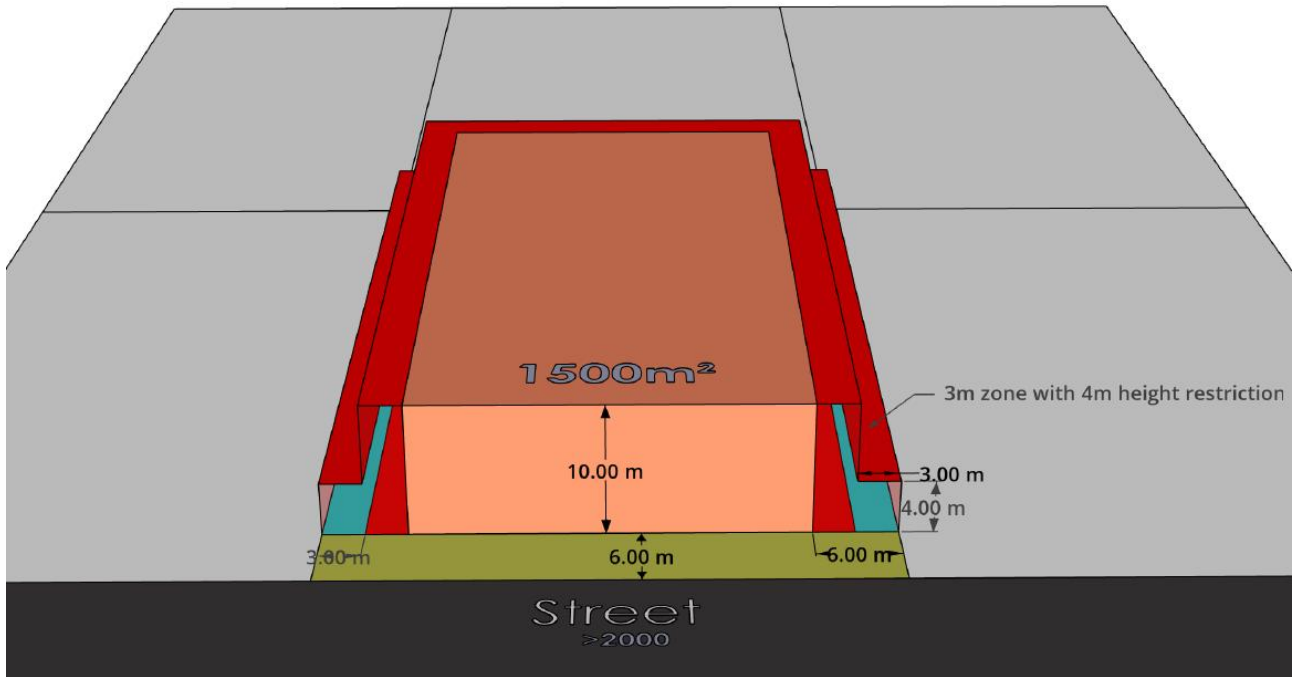


Figure 10: Erf size: >2000 m²

In Figure 10:

- The grey areas represent neighbouring properties
- The red area represents 3m from all common boundaries, as provided for in item 22(c)(ii)
- Floor factor is not applicable
- Maximum floor space is limited to 1500 m²
- Coverage is not applicable
- Any building permitted through a departure closer than 3m from the common boundary beyond the first 12m will be limited to 4m in height (note that 22(f) permits garages, carports and outbuilding to a certain extent).
- Any building permitted through a departure within the common boundary within the first 12m measured perpendicular from street boundary may have a height as per the 'Table of floor factor, floor space, height and building lines in Residential Zoning 1' (see Figure 11)

14. Full height with departure in properties over 650m² within 12m from street

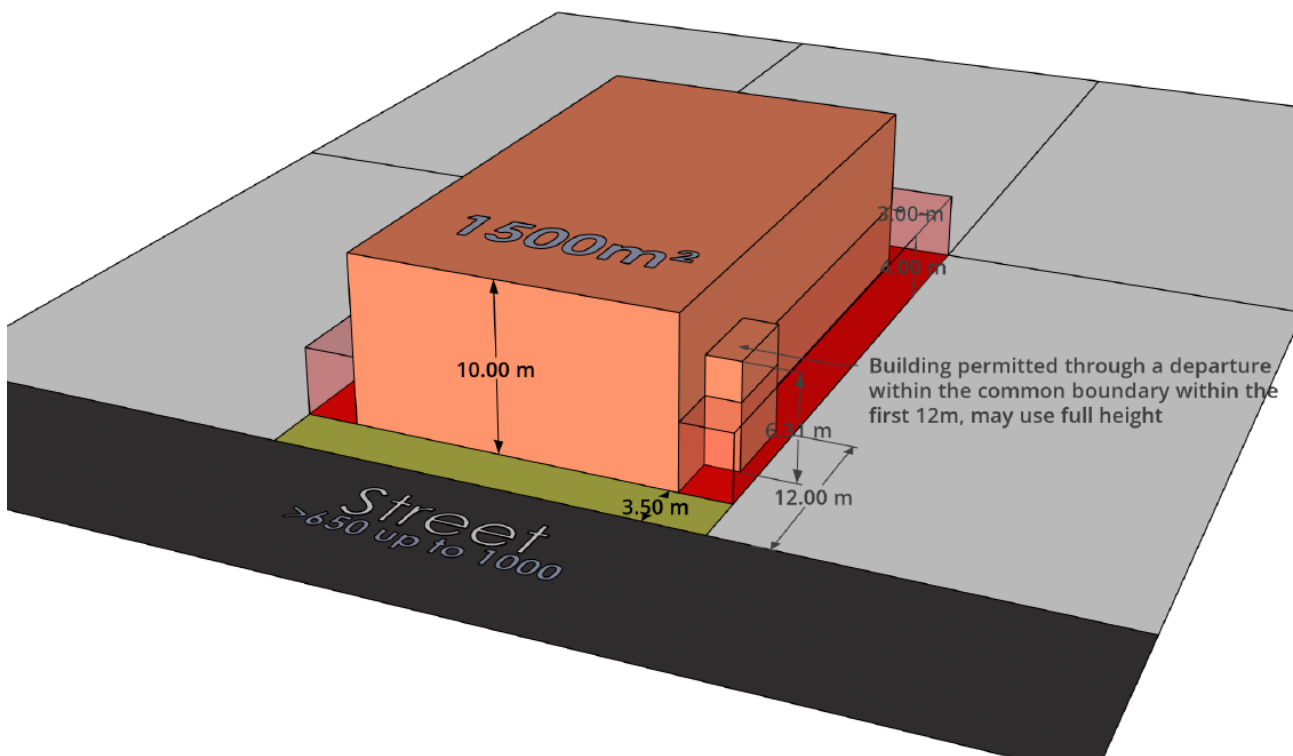


Figure 11: Erf size: >650m² and above

In Figure 11:

- A departure has been granted for a dwelling extension within the common boundary building line from 3.0m to 1.0m.
- The extension is permitted to exceed 4m in height within the 3m zone while being within 12m from the street.

15. Property with 2 street boundaries

To note: the below figure is only showing applicable building lines and is not compliant with bulk or coverage

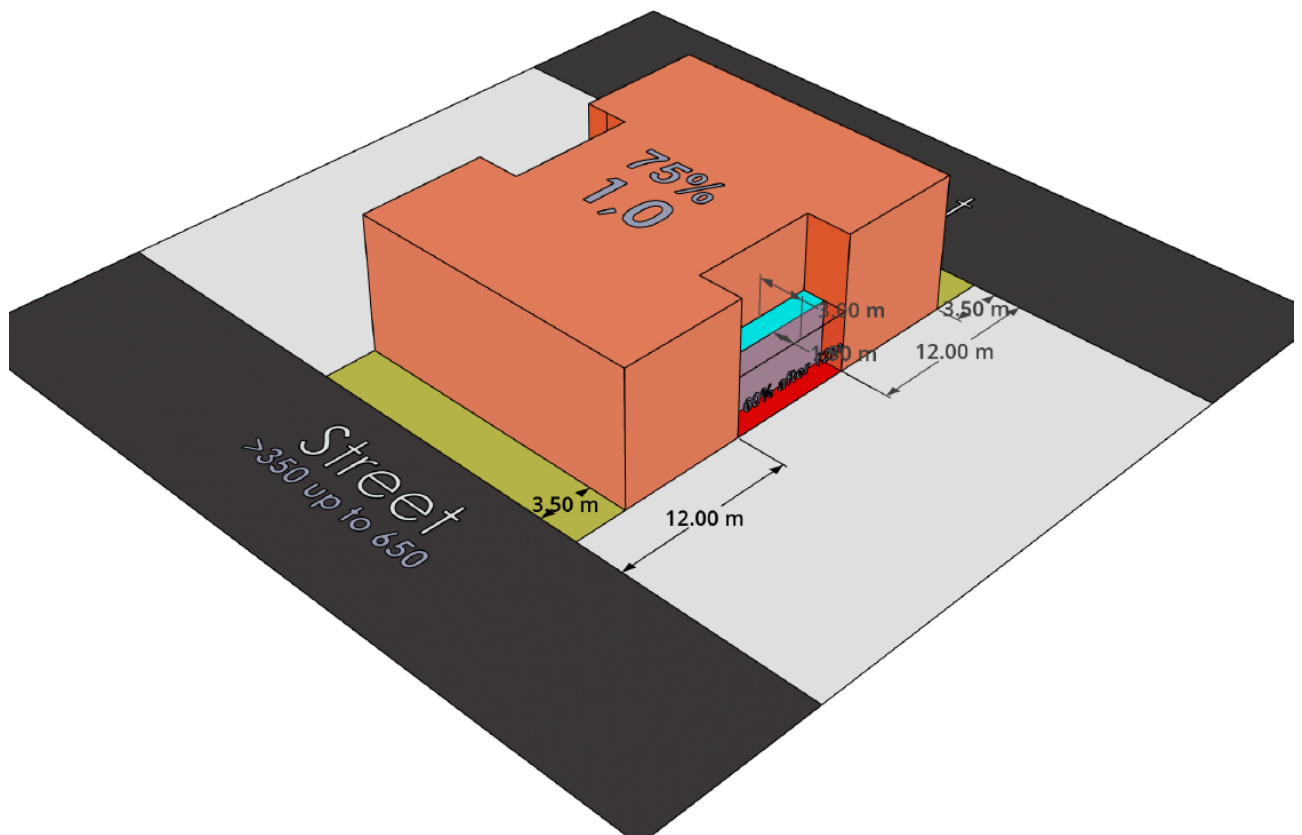


Figure 12: Property with 2 street boundaries

In Figure 12:

- The 12m linear distance is applicable from both streets.

16. Eaves

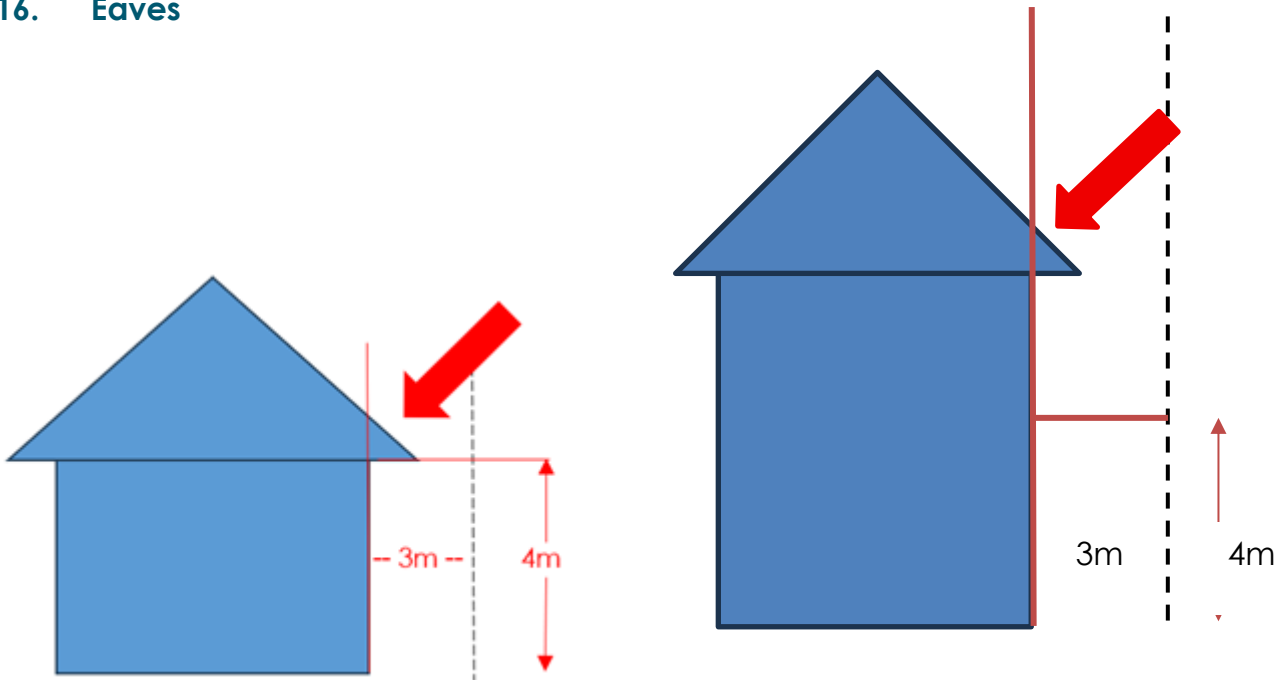


Figure 13 Eaves above 4m in height within building line

In Figure 13:

- As per Item 22(c)(ii), the height within a 3m zone from a property boundary is limited to 4m from EGL to top of building.
- The definition of building includes any part of a building which includes an eave.
- The definition of height does not exclude eaves.
- Item 121 only relates to encroachment of building line and not the encroachment of height. Therefore the include of eave in 121 relates to their encroachment into a common boundary building line.
- Therefore an eave with in 3m zone from a common boundary which exceeds 4m in height, will require a departure.



PLEASE NOTE

It is important to acknowledge that certain aspects of the MPBL are complex, and the details thereof extend beyond the scope of this advisory. To gain a comprehensive understanding, you are strongly encouraged to consult the MPBL directly, alongside referring to previous [advisories](#) where some of these complexities have been explained in more detail.