

Motivational Memorandum:

Application for permanent
departure from development
parameters on Erf. 507, Belvidere
Estate, Knysna

For

The Belvedere Trust

Table of Content

1. Introduction
2. Locality
3. Legal
 - 3.1 Ownership
 - 3.2 Mortgage
4. Existing and surrounding land use
5. Proposed Departure
6. Engineering Services
7. Motivation
 - 7.1 Need and Desirability
 - 7.2 Regional Spatial development framework (RSDF) 2010/11
8. SPLUMLA Development Principles
9. Conclusion

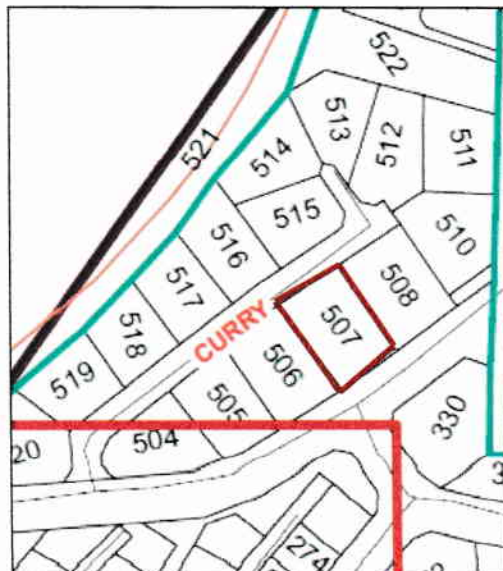
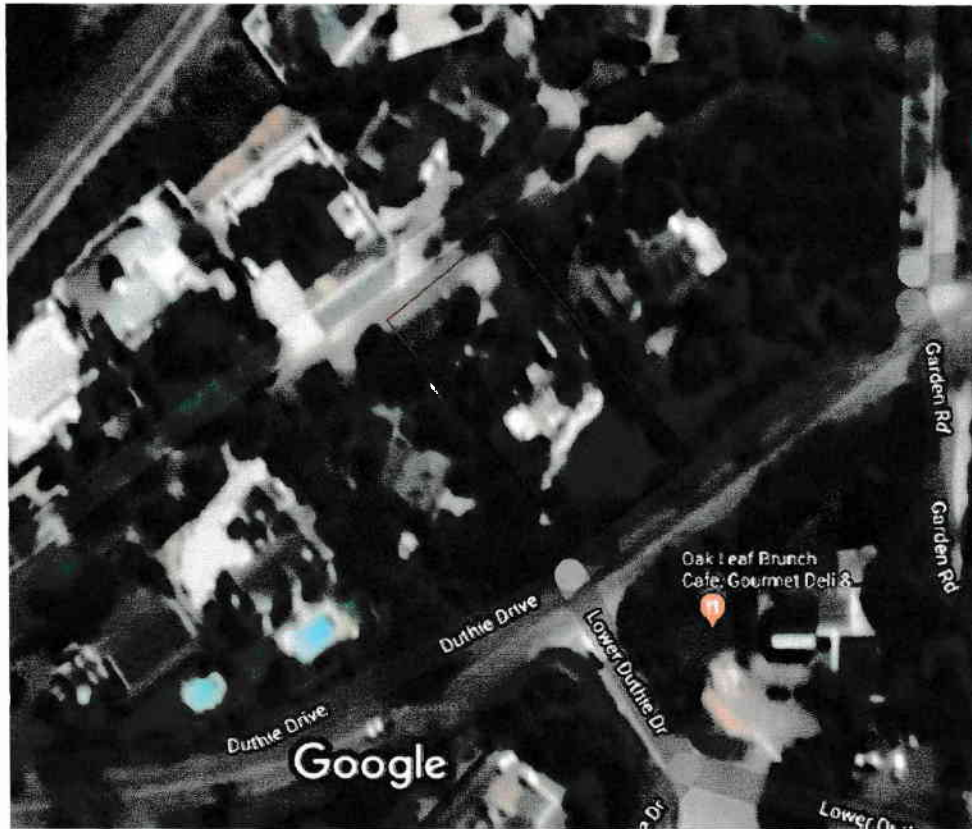
1. Introduction

The owners of Erf 507, Belvidere Estate, Knysna, The Belvedere Trust has appointed Louw Designs to prepare, submit and administer this application on their behalf.

The purpose of this application is to support the Permanent departure, namely the street side building line as well as the South lateral building line, which restricts the relaxation of building line on Erf 507, herein after refer to as “the site”.

- Applying for Street Side Building Line relaxation from 5.000m to 4.000m
- Applying for South Lateral Building Line from 3.000m to 1.800m

2. Locality



3. Legal

Legal information which is relevant and relate to this application is detailed as follows:

3.1 Ownership

Property Details	Registered Owners	Title Deed no	Extent (m²)
Erf 507	The Belvidere Trust	T000046236/2011	1433

3.2 Mortgage Bond

There is no mortgage bond registered against the site.

4. Existing and Surrounding land

The subject site is currently occupied by a dwelling house. The subject site is surrounded by Residential developments on the Northern, Southern, Western and Eastern side, most of which are double storeys.

5. Proposed Departure.

The purpose of this application is to support the Permanent departure, namely the relaxation of the street side building line from five meters to four meters as well as the South lateral from three meters to one point eight meters to legalise the existing retaining wall.

6. Engineering Services

The proposed Departure will not require any additional services to be supplied.

7. Motivation

The motivation is expressed in terms of the need and desirability in respect of the subject site.

7.1 Need and Desirability

As the wall is a pre-existing retaining wall and the house was purchased with it, it can be said that the need for it is of importance to the house so as to retain soil from falling into the driveway, making it inaccessible by car as well as stabilising the street above.

Regards to:	Reasons:
Financial Value	Financially there is no benefit to the owner as it is a structural element.
Personal Benefit	The personal value of the property will stay the same as it is an existing structure to retain soil so as not to fall into the driveway.
Social Benefit, Keeping Restrictions	Socially there is no benefit to the public, the owner is the sole beneficiary on the property and so keeping the above-mentioned restrictions will have no impact whether it is removed or kept.
Social Benefit, Removing Restriction	Socially there is no benefit to the public, the owner is the sole beneficiary on the property and so keeping the above-mentioned restrictions will have no impact whether it is removed or kept.
Removal of Rights to public	Not Applicable, as this is a private dwelling and public has no access.
Public Interest	It is in the public interest that the soil be retained in the driveway as this in turn stabilises the public road above.

7.2 Regional Spatial development framework (RSDF) 2010/11

The property is located in the residential area of Belvidere Estate Knysna. The RSDF 2010/11 clearly sets out the objective of the sub area by ensuring that the neighbourhood character and residential amenity of Knysna and the surrounding should be retained and protected. The approval of the application will allow a use which is in support of the residential amenity of Knysna. The site will retain the Residential primary rights, thus ensuring it retains its residential characteristics.

8. SPLUMLA Development Principles

In terms of the Spatial Planning and Land use Management Act (Act 16 of 2013) (SPLUMLA), the following principles apply to spatial planning, land development and land use management and are hereby applied to this application.

SPLUMLA Referral		Proposed Development Compliance
7(a)	Spatial Justice	Not applicable to this application
7(b)	Spatial Sustainability	The proposed application encompasses the following aspects of Spatial Sustainability; from an economic perspective it promotes and stimulates the effective equitable functioning of land. Environmentally it upholds consistency of land use measures in accordance with environmental instruments. Taking into consideration infrastructure and social services for future, no additional provisions will be necessary.
7(c)	Efficiency	The principles of efficiency are completely applied and adhered to in this development as the additions will ensure that the best possible use of existing infrastructure is optimally used
7(d)	Spatial Resilience	Not applicable to this application.

7(e)	Good Administration	The proposed addition is not in contravention with the development policy of Knysna. Therefore, this application is in line with the governmental policy effecting the special development of the area and does not deviate from it.
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9. Conclusion

It is clear according to the above mentioned motivation it is important that the existing retaining wall on Erf 507 Belvidere Estate be approved as it lends stability to the above road as well as retaining the soil in the driveway, making the garage accessible by car.

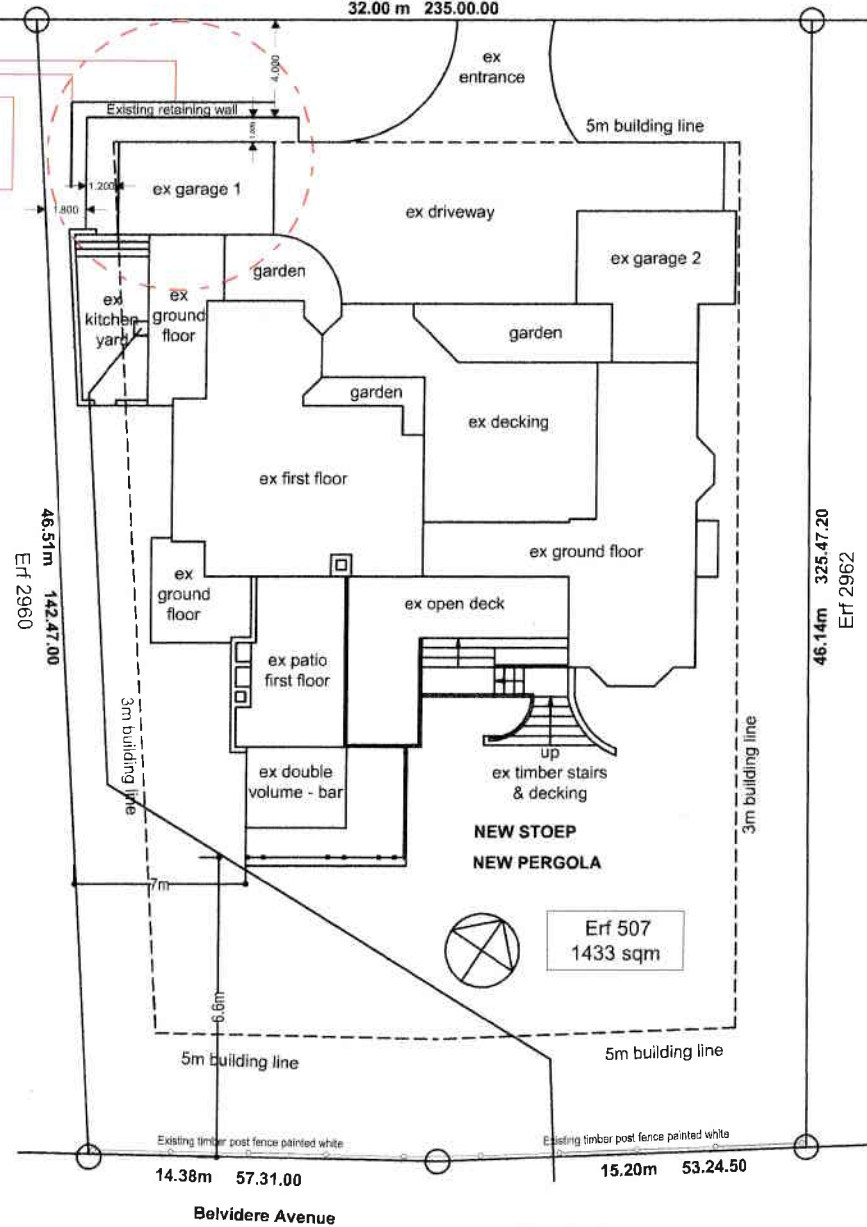
We therefor recommend that the application be approved.

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173 CURRY CLOSE

32.00 m 235.00.00

Existing cement block retaining wall 1.8m in height over the 5m street building line and 3m lateral building line



SITE PLAN 1:200

LOCATION PLAN
Curry road Belvidere



Louwdes gns
Professional Architectural Draughtsperson

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PROJECT: EXISTING RETAINING WALL ON ERF 507	
CLIENT: Belvedere Trust	
DATE: 08 January 2020	DRN: W LOUW
DRWG NUMBER: Belvedere Trust 001	SHT: 1/1 A3