



Trevor Griffin Architect

17 November 2022

Town Planning
Knysna Municipality

Dear Sir

ERF 4849, The Heads, KNYSNA

Attached please find departure application in respect of erf 4849, The Heads, Knysna. The application is for a departure from the provisions of the Knysna Municipality Zoning Scheme By-Law as published in the Province of the Western Cape: Provincial Gazette Extraordinary, dated 29 June 2020, specifically the regulations concerning 'dwelling house'.

BACKGROUND

The subject property is situated at The Heads and is zoned Single Residential Zone 1. It is on the south side of Coney Glen Drive and situated well below the road level – see photo. An unapproved 'lapa' was constructed on the flat roof in order to solve a waterproofing issue. This application is to legalize the 'lapa' which constitutes a third storey of 11,4 sqm.

The owners did submit an application for a departure in 2021, but the application was incomplete and was not followed up.

MOTIVATION

1. Neighbours

The house is situated well below the level of Coney Glen Drive. The 3rd storey 'lapa' does not affect any of the surrounding neighbours. The owners obtained consent from the following neighbours in November 2019: erven 7439, 7455, 7561, 7568, 7585 and 4848. Erf 1470 was not available at the time. There were no objections. The comment forms were not the latest ones and are therefore invalid.

2. Aesthetics

The 'lapa' has a free flowing thatched roof and is in sympathy with the circular forms of the existing house.

3. Height

The top of the 'lapa' roof measures a maximum of 8,02m above natural ground level.

The TP Scheme allows a height of 8,5m. Therefore there is no height issue.

4. Regulatory

The 2020 Knysna Town Planning Scheme only permits 2 storeys but

“a departure from the 2 storey limit may be considered due to the slope of the site; provided further that the 8.5 metre restriction is maintained and that the additional storey is added to the building on the lower side of the slope”.

The site is sloping – see contour plan. As referred to above, the house is well within the 8,5m height restriction. Further, the 3rd storey has been added on the lower side of the slope.

Conclusion

The existing ‘lapa’ is within the 8,5m height restriction and is also situated below the road, thereby satisfying the departure conditions for a 3rd storey contained in the Town Planning Scheme. Since this provision exists within the regulations, it follows that it would not be in conflict with the principles of SPLUMA. Further, there is no effect on any neighbours. The owners have previously obtained consents from the affected neighbours, but these were done on the older forms. There were no objections. If the departure is granted, plans will be submitted to Building Control to legalize the ‘lapa’ structure.

Regards

Trevor Griffin

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