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25 August 2026

Motivation Memorandum — Desirability of Permanent Departure

To: The Manager, Land Use Management Division
Knysna Municipality
P O Box 21, Knysna, 6570
Attention: Ms L. Mniki and Mr S. Sitinga, Town Planners

Re: Erf 300703000, 5 Candlewood Close, The Woods, Brenton on Lake, Knysna | Plan No. 2026/57787

Dear Ms Mniki and Mr Sitinga,

This memorandum is submitted in support of the Permanent Departure application lodged in terms of Section 15(2)(b) of the Knysna Municipality By-law on Spatial Planning and Land Use Management, to regularise an existing 2.4m boundary fence at the above property, submitted simultaneously with the related Administrative Penalty determination application (Section 93(9)). It addresses the desirability criteria identified by the Municipality at the pre-application meeting of 13 August 2026 (per the official minutes issued 17 August 2026).

1. Background

The registered owners of Erf 300703000, Mr Melville Herbert (“Billy”) Moorcroft and Mrs Jacqueline Ethel (“Jacqui”) Moorcroft, acquired the property by private treaty on 6 May 2025, with transfer registered shortly thereafter, from the previous owner, Mr Hendrik Jeremias Meyer. A copy of the Deed of Transfer is held on file and available on request.

Building plans for a swimming pool at the property (Plan No. 2026/57787) were submitted for scrutiny on 19 March 2026 and were rejected on 22 April 2026, as the Municipality's Land Use Management department identified that an existing 2.4m boundary fence exceeds the 2.1m height permitted under the Knysna Zoning Scheme (Boundary Walls & Fences, Clause 27). This application seeks a Permanent Departure to regularise the fence at its current height so that the pool plans may be resubmitted.

2. Description of the Departure Sought

The departure relates to a single run of boundary fence, approximately 0.3m over the 2.1m limit, situated on the boundary shared with Erf 332 (332 Galjoen Street, Brenton on Lake), the property of Mr Brian (Clifford) Engelbrecht. All other boundary treatments on the site — three further fence runs and a motorised gate — comply with the applicable height limits and are not the subject of this application.

The fence was already in place when the current owners acquired the property on 6 May 2025 and has remained unchanged throughout their ownership. Its precise construction date and original builder cannot be established; it does not appear on the dwelling's original 2016 building plans, held by this office.

3. Desirability Motivation

This section addresses, in terms of Section 65 of the By-law, each of the criteria identified by the Municipality at the 13 August 2026 pre-application meeting.

Implications for surrounding property owners. All five affected neighbours have consented in writing to the fence remaining at its current height, including Mr Engelbrecht (Erf 332), whose boundary directly abuts the 2.4m run and who has additionally provided a signed affidavit and two dated photographs (9 May 2025) confirming the fence's long-standing presence. No neighbour has raised an objection.

Quality of life. The property features varying topographical levels due to a natural watercourse that traverses the lower section of the site. The garden and boundary fence are located on this lower level, while the dwelling’s ground floor (housing the patio and lounge) is elevated. Due to this elevation difference, a standard 2.1-meter boundary fence does not effectively block sightlines between the elevated ground floor and the neighbouring property. The proposed 2.4-meter fence height is strictly functional and necessary to provide an adequate privacy screen between the neighbours. This is consistent with the assessment of The Woods' controlling architect, Mr Nico Vreken, who reviewed photographs of the fence in December 2025 and confirmed that it presents as a privacy screen between the two properties.

Municipal services. The departure relates solely to the height of an existing boundary fence and does not affect access to, or the provision of, municipal services, servitudes or wayleaves at the property or on neighbouring erven.

Bio-physical attributes. The fence is a boundary treatment on the lower garden level of the site and has no bearing on the natural watercourse, vegetation, or other bio-physical features of the property or surrounding area. No bio-physical impact arises from retaining it at its current height.

Sight lines. As set out above, the fence's height directly addresses sight lines created by the site's multi-level layout, preventing direct overlook between the owners' patio and the neighbouring bathroom,outdoor living areas & lounge. This is the fence's sole function and the principal basis for the departure sought.

Other applicable considerations. The fence is consistent with the design character of The Woods estate and has been reviewed and endorsed by the estate's controlling architect as a privacy screen. No other desirability considerations are understood to apply.

4. Supporting Evidence

Deed of Transfer, confirming the current owners' acquisition of the property on 6 May 2025 from Mr Hendrik Jeremias Meyer — held on file.

Written confirmation from the current owners (23 July 2026), setting out what is and is not known about the fence's history and their reasons for wishing to retain it — held on file.

Signed neighbour consent letters (5 of 5 affected neighbours), confirming no objection to the fence remaining at its current height — held on file.

Signed affidavit and two dated photographs (9 May 2025) from Mr Brian (Clifford) Engelbrecht, Erf 332, the neighbour whose boundary directly abuts the 2.4m fence run — attached.

“The Woods” Architectural Design Manual (Revision 1, February 2010), confirming the estate's design framework and built context.

Original building plans for the dwelling, dated 2016, held by this office and understood to also be on record with the Municipality's Building Control department.

The pool building plan, formally stamped and signed by Mr Nico Vreken, controlling architect for The Woods HOA (Rev_2), confirming his approval, together with supporting correspondence (December 2025) characterising the fence as a privacy screen — held on file.

5. Request

For the reasons set out above, we respectfully request that the Municipality grant the Permanent Departure application under Section 15(2)(b) of the By-law, to permit the existing 2.4m boundary fence at the above property to remain at its current height.

We would be glad to provide any further supporting documentation on request, and thank you for your consideration of this matter.

Yours faithfully,





Andrew Blair

AB+HvD Architects (Andrew Blair)

Hanneke van Deemter

AB+HvD Architects (Hanneke van Deemter)