



## **MOTIVATING**

### **MEMORANDUM**

**CONSENT USE APPLICATION IN TERMS OF SECTION 19 OF THE CITY OF  
JOHANNESBURG MUNICIPAL PLANNING AND LAND-USE MANAGEMENT ACT  
(ACT 16 OF 2013) TO AMEND THE TOWN PLANNING SCHEME KNOWN AS THE  
LAND USE SCHEME OF 2018**

### **ERF 41**

### **PARKWOOD**

**FROM RESIDENTIAL 1(DWELLING UNITS) TO RESIDENTIAL 1 (Child Care  
Centre)**

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## **1. THE APPLICATION**

□ CONSENT USE APPLICATION IN TERMS OF SECTION 19 OF THE CITY OF JOHANNESBURG MUNICIPAL PLANNING AND LAND-USE MANAGEMENT ACT (ACT 16 OF 2013) TO AMEND THE TOWN PLANNING SCHEME KNOWN AS THE LAND USE SCHEME 2018, ERF 41 PARKWOOD FROM RESIDENTIAL 1 (DWELLING HOUSE) TO RESIDENTIAL 1 (Early Childhood Development Centre))

## **2. PROPERTY INFORMATION**

### **2.1 TITLE DEED DESCRIPTION**

The site is described as the ERF 41 PARKWOOD

### **2.2 LEGAL ASPECTS**

#### **2.2.1 OWNERSHIP**

The stand is registered in the name of KAV PROPERTIES (PTY) Ltd and is held in terms of Deed of Transfer: T000034756/2019

### **2.3 LOCALITY**

- The site is located along 18 Chester Road.
- The property is at the corner of Chester Road and Cardiff Road which is ideal for the proposed application.

### **2.4 PHYSICAL FEATURES**

- The street address of the stand is 18 Chester Road.
- The site measures 1066 m<sup>2</sup>
- The site currently has one dwelling unit and a garage respectively.

### **2.5 EXISTING ZONING**

- Residential 1

## 2.6 PROPOSED ZONING

- Application is made in terms of the City of Johannesburg Land Use Scheme 2018
- Consent Use Application to permit Early Childhood Centre Subject to Inter alia of the following conditions:
  - Primary Right: As Per Scheme, including access driveways
  - Secondary Right: As per Scheme
  - Height: As per scheme
  - Coverage: As per scheme
  - FAR: As per scheme
  - DENSITY : As per scheme
  - Parking shall be provide at 0,1 bays per child plus 1,0 bay per classroom
- Access shall be to the satisfaction of the council

## 2.7 SURROUNDING PROPERTY

The surrounding land uses are predominately residential and business.

## 3. MOTIVATION IN SUPPORT OF THE APPLICATION

### 3.1 APPLICATION INTENTIONS

- Application is made for consent purposes of a Crèche to permit 60 learners.
- It is in the applicant's intention to ensure rights to permit the development of an Early Childhood Development center.
- 60 learners including 5 staff members which comprise of 1 nutritionist "cook" and 4 teachers will be accommodated on the stand with the required facilities;
- 10 parking bays on the outside boundary and 6 parking bays on the inside.
- The entire development will be in accordance to the satisfaction of the councils, by-laws section 21(1) - (9) and the City Johannesburg Land Use Scheme 2018.

## **3.2 ACCESS**

- Access will be obtained from Cardiff Road.

## **3.3 NEEDS AND DESIRABILITY**

### **3.3.1 SPECIFIC SITE DYNAMICS**

- The site is zoned “Residential 1”, in terms of the City of Johannesburg Land Use Scheme 2018.
- The building lines are as per scheme
- Other properties in the vicinity are zoned Residential 1, Residential 3, Business 1, Special and Residential 4, subject to their high densities.
- There is a place of entertainment, Rosebank Mall 2 000 meters away from the stand
- “Walkable distance”, high schools (Parktown High School for Girls) and a primary schools within a radius of 1500meters.
- Other properties within the 150-meter radius are zoned residential 1 and business and some are double story and upwards in nature.
- Various properties in Parkwood have also been rezoned to accommodate the growing numbers of people who demand accommodation. The commercial node of Parkwood lies within 1 kilometers of the site along with the retail hub is also within this radius. The ECD will serve a positive impact in educating the offspring’s of the growing population. Rosebank Shopping Center & Melrose Centre are a large retail centers which provides abundance of amenities to the site and affords the potential tenants of the site with an array of options.
- The subject site is located in close proximity to a number of business and other urban amenities and therefore the application will lead to efficient

utilization of the existing infrastructure which is of paramount importance and not only for ancillary development

- Existing Early Childhood Developments within a radius of 5km from the subject site have proven extremely popular, with the growing population of different income levels within this radius, the available ECD won't be able to cater for the demand of affordable education.

### **3.3.2 THE NEED FOR HIGHER RESIDENTIAL DENSITIES**

- People at different stages of their life require different forms accommodation and as such, residential areas should offer a diversity of amenities such as ECD's to cater for various demands required by the population.
- Existing varieties of business on Chester road are extremely popular and most of them are appropriately zoned.
- The demand for a large condominium type of early childhood development and factors such as security and the higher cost of maintaining large properties play an ever increasing role in the marketing place.
- The rising cost of land and transportation, together with the sprawl of the metropolitan area has resulted in the growing acceptance of the need for increased densities, by both home owners and the authorities.
- Wealth and status are no longer solely equated with large residential properties, as is evidenced in the comparatively high prices paid for compact dwelling units conveniently located in regard to urban facilities. In this regard the site enjoys excellent access to a wider range of urban facilities.
- There is clearly a need for effective utilization of available land and particularly land within well-established residential areas such as Rosebank, and Parkwood. It is well located in relation to the full range of urban facilities.
- New lifestyle associated with the socio-demographic changes have made cluster living increasingly preferred option to the extent that it now represents a structural shift in the housing demand pattern as deification occurs services such as ECD, Food markets, Health facilities etc., will have to be in abundance to meet the growing population.

- South Africa is adopting overseas trends as it shifts towards more communal development. The age of colonial land baron is over. It is submitted that in 10 years' time it will be extremely difficult to find homes on large plots. Only the very rich people/companies will be able to afford it and, with major changes in lifestyle, more people are opting for more low- maintenance solutions thus the ECD will be affordable to all classes of people.
- Numerous officials throughout the official hierarchy have advocated higher residential densities, the primary rationale being to make use of existing infrastructure in the developed areas.
- To strive towards a compact city, the following major focus areas should be looked at:
  1. Within the inner city
  2. In the development corridors where many people are already employed
  3. Around the open spaces and on selected vacant land.

Certain areas within the existing urban system have been kept at low levels of population density and activity due to past policies. In view of the above the following obstacles to growth should be removed, namely:

1. Within existing development corridors and growth points to enable intensified development within these areas;
2. In these areas which have high quality physical and social services such as school, clinics and other public facilities;
3. In and around those areas of vacant land which interrupt patterns of development.

It is therefore obvious that residential densities will increase over time.

### **3.3.3 CONFORMITY WITH LOCAL AUTHORITY POLICY**

- The Johannesburg Metropolitan Administration has indicated that one of its most important general development objective is to promote and encourage an intensification of residential densities within the city in order to achieve more economic, efficient and equitable distribution of land usage. The proposed development of the application site would fully accord with this important policy objective and encourage the more efficient utilization of existing service infrastructure.
- An important future growth consideration within metropolitan areas is the recognition that residential densities within strategically placed locations adjacent to major communication routes need to be significantly increased. It is vitally important that the costly outward sprawl of suburbia be slowed, and that our urban area become more compact in form, more efficient in use and hence more economical to service.

### **3.3.4 IMPACT ON SURROUNDING PROPERTIES**

The proposed densification on the site will not have a negative impact on the surrounding properties for the following reasons:

- The market value of the house will compare favorably with the existing houses in the surrounding erven
- The site is located in a predominantly residential surrounding (refer to attached Aerial Photo), within close proximity to a variety of mixed land uses that are within walking distance. These include cluster developments, office developments, various commercial activities and a tertiary institution
- From the above it is S.T.K's professional opinion that our proposal will not have a negative impact on surrounding properties.
- The existing municipal infrastructure will be able to accommodate the proposed development.



### **3.4 COMPLIANCE WITH SPLUMA**

The proposed application essentially embraces the following principles:

A. The Principle of Spatial Resilience; whereby flexibility in spatial plans, policies and land use management systems are accommodated to ensure sustainable livelihoods in communities most likely to suffer the impacts of economic and environmental shocks.

B. The Principle of Efficiency:

- I. Land development optimizes the use of existing resources and infrastructure
- II. Decision-making procedures are designed to minimize negative financial, social, economic and environmental impacts.

C. The Principle of Spatial Sustainability, where spatial planning and land use management systems must:

- I. Promote land development that is within the fiscal, institutional and administrative means of the Republic
- II. Promote land development in locations that are sustainable and limit urban sprawl.

D. The Principle of Spatial Justice, whereby:

- I. Past spatial and other development imbalances must be redressed through improved access to and use of land.

A municipal Planning Tribunal considering an application before it, may not be impeded or restricted in the exercise of its discretion solely on the grounds that the value of land or property is affected by the outcome of the application.

#### **4. SUMMARY AND CONCLUSION**

- The purpose of this application is to obtain high densification rights to permit the rights of Early Childhood Development as observed on attached plans.
- The application site is located at an optimum position (relative to both surrounding land usage and the existing road system) to accommodate such development, and is ideally suited thereto. It also conforms to policy initiatives to increase residential densities and rationalize public transport.
- The application represents a golden opportunity for the site to be developed in terms of its highest potential, at an appropriate scale and in an economically viable way.