MEMORANDUM IN SUPPORT OF CONSENT USE FOR A PLACE OF INSTRUCTION (PILATES INSTRUCTION STUDIO): ERF 272 CRAIGHALL PARK

Prepared by:	VBH TOWN PLANNING
Address:	P O Box 3645 HALFWAY HOUSE 1685
Telephone:	011 315 9908
Email:	steve@vbhplan.com
Reference:	3576-M1
Date:	September 2026

VBH TOWN PLANNING

MEMORANDUM IN SUPPORT OF CONSENT USE FOR A PLACE OF INSTRUCTION (PILATES INSTRUCTION STUDIO): ERF 272 CRAIGHALL PARK

1. GENERAL

1.1. Introduction

This application is made in terms of Section 19 of the City of Johannesburg Municipal Planning By-Law, 2016 ("By-Law") read with Section 2 of the Spatial Planning and Land Use Management Act, 2013 ("SPLUMA"), for the consent of the Council to the use of Erf 272 Craighall Park (hereinafter referred to as "the site") for a specialised place of instruction (Pilates Instruction Studio) subject to conditions, as detailed below.

The site was originally developed for a dwelling house, but since 1992 (when the amended site zoning was approved), additional buildings have been erected which included offices for a security company and a place of instruction for its staff (both with Council consent). These office-and-place-of-instruction functions informed the purchase and use of the site by the current owner for the specialised purposes described above. The intention of the current application for consent is to ensure the legality of the existing on-site functions, and to facilitate the submission of such updated building plans as may be necessary in this regard.

The on-site development is illustrated on the draft site development plan included in this application and is explained more fully in the motivation required in terms of Section 5 of the By-Law, including how it gives effect to the SPLUMA development principles, is guided by the municipal spatial development framework, and addresses the need, reasonableness, desirability and public interest.

1.2. Ownership and Size

The site is owned by Ashley Kim Ritchie in terms of Deed of Transfer T156291/2006, and measures 1,983m².

The property was bonded, however the bond has been cancelled in terms of the attached letter from Nedbank dated 23 September 2026.

1.3 Title Conditions

The title deed was amended in terms of Provincial Gazette Notice dated 19 August 1992 to remove conditions (a) to (c) to permit the previous office/training use; however, it still retains a condition that precludes the use of the site for a hotel, restaurant, tea room or any business of a similar nature to the afore-mentioned. This retained title condition is not restrictive to the existing/proposed uses on the site.

1.4 **Locality** (See Plan 3576LOC and aerial plan below)

The site is situated at 119 Buckingham Avenue, Craighall Park, as indicated in Figure 1 below.



Figure 1: Aerial Plan

The aerial site view provides an indication of the “neighbourhood node” location of the site, with “business” uses on its western and northern boundaries. There is a dwelling house on the site’s eastern boundary (erf 270), and to the south, across the wide road reserve of Buckingham Avenue, there are dwelling houses (see also Section 1.6 and Plan 3576 LU).

There is a significant drop in ground levels from Lancaster Avenue in the north to Buckingham Avenue in the south (see draft site development plan). This height differential and the scale of the business buildings on erf 273 negatively impacts the northern aspect of the site.

1.5 **Zoning** (See Plan 3576ZO)

The site is zoned Residential 1 in terms of Amendment Scheme 3397, subject to the following conditions:

Use Zone:	Residential 1
Primary Rights:	As per Scheme (ie dwelling house)
Consent Uses:	As per Scheme including offices (with no advertising required)
Uses not permitted:	As per Scheme
Servitudes:	None
Height:	As per Scheme (3 storeys)
Coverage:	As per Scheme (50%)
Floor Area:	As per Scheme (1,2)
Parking:	As per Scheme
Density:	One dwelling per erf
Building line:	As per Scheme, 3m along street boundaries

1.6 Land Use and Draft Site Development Plan ((See Plan 3576ZO and SDP)

The Pilates instruction studio is run by the resident property owner - a qualified Basi Pilates instructor – and serves as a place of instruction/educational facility offering classes, private exercise sessions, and semi-private exercise sessions by trained staff, and Basi Pilates teacher training programs and continuing education for Pilates teachers/instructors. (Note: Basi is a variant of Pilates that is focussed on scientific principles and movement, and the studio trains instructors and provides guided exercise classes in this format.)

The instruction studio operations are run on a pre-booked programme from Monday to Saturday at specified times (usually hour-long sessions) between 05h30 and 17h00, with peak times early in the morning and late afternoon. The highest daily activity level would comprise about 4 instructors and 20 clients. This is not an open “gym” or sports club where paying members can arrive at any time of the day but rather an instruction studio where pre-booked appointments are scheduled. No amplified music is used.

On-site parking for 21 cars is provided for all activities (i.e. no on-street parking is allowed), and access and egress is actively monitored by the studio staff. The monitoring allows for the clients’ cars to enter and exit the site at times linked to the booked sessions, and this also means that the parking can be doubled-up, as opposed to standard parking that requires ongoing access and egress to each bay.

The draft site development plan shows the existing development on the site comprising the following:

- a single-storey dwelling house (floor area of ±248m²) occupied by the applicant and her husband;
- a double-storey building (accessible from the dwelling house and by a separate entrance) comprising studios for the training of Basi Pilates instructors and client training sessions (floor area of ±238m²);
- a smaller single-storey studio for individual / small group training sessions (floor area of ±110m²);
- a few minor outbuildings; and

- a paved parking area on the southern half of the site that is accessed from a driveway in the south eastern corner of the site (see draft SDP).

1.7 Surrounding Zoning and Land Use (see plans 3576ZO and 3576LU)

The site is one erf removed from the busy intersection of First Avenue West / Clarence Avenue and Buckingham Avenue.

The non-residential uses that comprise part of the neighbourhood node to the immediate west and north of the site include the Craighall Veterinary Hospital (on erf 274), a filling station and shopping centre ("SPAR") and its associated parking (on erven 273 and 274), offices to the south (on erf 8/239), and residential apartments to the west of Clarence Avenue. These, and their zonings, are depicted on the attached plans.

As mentioned previously, the site is also adjoined on its the eastern boundary by erf 270, zoned Residential 1 and developed for a dwelling house, while the rest of the area largely comprises dwelling houses on Residential 1 erven.

1.8 Engineering Services, Parking and Traffic

The application does not seek to alter the long-existing building development on the site, but to clarify the components used for dwelling house and place of instruction purposes (Pilates Instruction Studio).

While some modifications to the existing structures may be required, the floor area of the place of instruction component (±350m²) that was previously used for offices and training purposes will not be increased - as illustrated on the draft site development plan. There would also be no increase in demand on the current municipal engineering and electricity services and an outline scheme report would accordingly not be necessary.

Regarding parking, the specific nature of the Pilates Instruction Studio use would not fall into the standard land use categories in the LUS Table 8 relating to "gymnasium/health clubs", school-type instructional uses, etc. The Instruction Studio use should, it is submitted, fall under the "All other Land Uses" category in the table which requires parking provision "to the satisfaction of Council". The success of the current approach to parking provision and management on the site is clear and has avoided on-street parking.

Regarding new traffic generation, the current application will not change the nature and extent of the existing land uses from the current, managed levels, which are specific to the Instruction Studio booking times and capacities. A traffic impact statement to estimate the new trips would not be necessary, as no change to the status quo is proposed.

1.9 Spatial Development Framework (SDF)

The site is located in the General Urban Zone of the SDF 2040 where a medium-intensity built form and a mix of land uses is promoted, particularly in neighbourhood nodes such as pertains here (and where infrastructure upgrades are not needed) (see Figure 2 below).

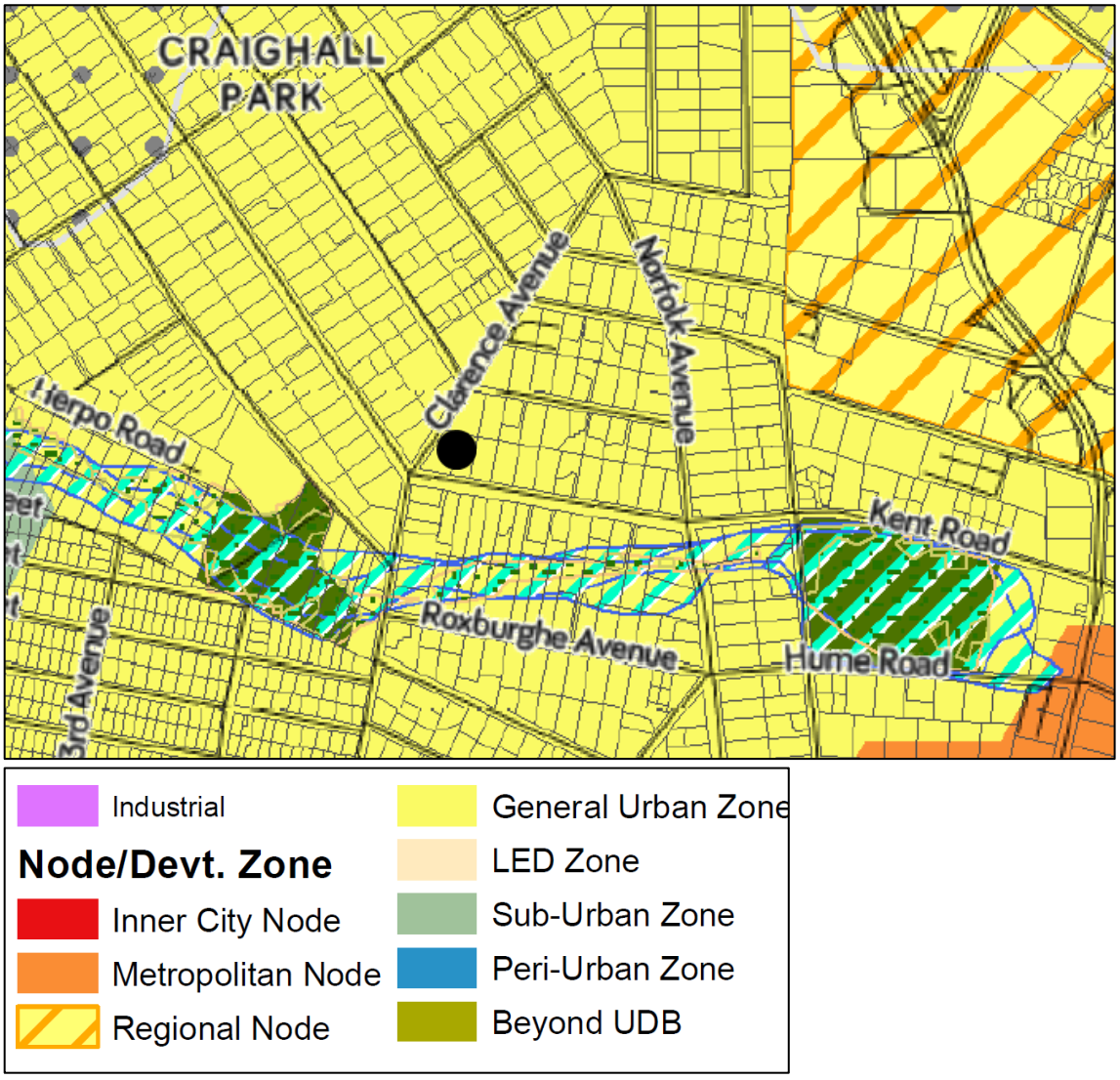


Figure 2: Extract from Nodal Review

The use of the site for a dwelling house and a specialised Pilates Instruction Studio is compatible with the current spatial guidelines.

2. THE APPLICATION

2.1 Intention

The applicant (owner) and her spouse live in the dwelling house on the site, and run a long-established Place of Instruction for Basi Pilates from the premises. The intention of the current application for consent is to confirm / clarify the legality of the existing on-site functions, and to facilitate the submission of such updated building plans for Council approval as may be necessary.

2.2 Proposed Rights

It is proposed to retain the current Residential 1 zoning rights as detailed in S1.5 above, subject to the following consent use controls proposed below:

1. The owner / manager of the place of instruction (Pilates Instruction Studio) shall reside on the site.
2. A site development plan shall be submitted for approval by the City Council.
3. The gross floor area of the place of instruction shall not exceed 350m².
4. The hours of operation of the place of instruction shall not exceed 05h30 to 18h30 from Monday to Saturday.
5. The residential appearance of the property and the buildings thereon shall be retained.
6. The amenity of the adjoining properties shall not be negatively affected.
7. Access to and parking on the site shall be to the satisfaction of the City Council.

3. MOTIVATION

3.1 The Proposal (see Draft Site Development Plan)

The place of instruction (Pilates Instruction Studio) established on the site and described earlier is not like a large-scale, membership-based, gymnasium / health club, but is a client-focussed, appointment-based exercise and instruction studio specialising in Basi Pilates. The controlled environment, and the on-site residence of the owner/manager, has helped ensure a high degree of compatibility with the nodal location and the nearby residential properties (with no public complaints or objections having been received).

The existing development on the site is depicted on the draft site development plan, and the owner / manager is keen to ensure that following the consent use and site development plan approval, building plans for the current development can be submitted to the Council, as these are not currently available from the relevant department.

The consent use controls proposed in S2.2 above aim to retain the current, proven practices for running the place of instruction.

In summary, the use is well-located being next to the local development node, follows the earlier land uses of offices and a place of instruction on the site, serves an established health and educational-related need, is well-run by the resident owner / manager, and contributes to the general welfare of the Craighall Park township and environs.

3.2 Compliance with the Municipal Spatial Development Framework

As indicated in s1.9 above, the site is in the General Urban Development Zone of the SDF in which a medium intensity and mix of land uses is encouraged.

The existing dwelling house and place of instruction (Pilates Instruction Studio) have been established for a number of years, and are of a scale and height that ensures compatibility with the surrounding erven and are also aligned with the SDF development guidelines as per S5(2) of the Bylaw.

3.3 Need, reasonableness, desirability and public interest

The successful operation of the place of instruction over a period of time is indicative of an existing need for the use and facilities provided on the site.

The site fits into the established local development node at the Lancaster and Clarence Avenue intersection. In addition, the existing development of a combined residential-and-place-of-instruction use on the site has had a positive buffering impact between the core of the local development node and the nearby lower density residential uses. This demonstrates both the reasonableness and desirability of the existing development.

It is further submitted that both the public interest and the applicant's interest would be served by the clarification of the land use rights that have been shown to be compatible and harmonious with developments on contiguous properties. (The application has in-principle endorsement of the Craigpark Residents Association).

The existing development depicted on the draft site development plan reflects the current development of the site. The City's endorsement of this current development, and the updating of the town planning and building control records, is at the heart of this consent use application.

3.4 Principles of Spatial Planning and Land Use Management Act, 2013

Chapter 2 of the Spatial Planning and Land Use Management Act, 2013 provides general principles which apply to authorities responsible for the implementation of legislation regulating the use and development of land. These development principles form the basis for motivation of all land development applications.

The current application complies with these principles as follows:

The principle of spatial justice:
Spatial justice deals with fairness in addressing inequalities and exclusion from spatial planning processes. This principle has greater application at larger-scale spatial planning, but to the extent that it can be applied at a more detailed level the application would comply.

The principle of spatial sustainability:
This principle is aimed at creating viable communities through promoting better spatial development forms aimed at increased density, diversity and compactness. The application aligns with this principle.

The principle of efficiency:
This principle has been addressed by showing that the land use and development is efficient and well-run.

The principle of good administration:
Good administration requires adequate notification to public, departmental and other interested parties of proposed land use changes. The application will be advertised and circulated for comment as prescribed in terms of the By-Law in order to ensure that this principle is met. The City's decision on the land use application will be based on the criteria set out in Chapter 2 of the By-law, with due consideration of any comments received.

4. SUMMARY AND CONCLUSION

The application is in terms of Section 19 of the By-Law for the City's consent for a place of instruction (Pilates Instruction Studio) on the site, in addition to the existing dwelling house use thereon, and has been fully illustrated and motivated in terms of the By-law criteria.

The application includes suggested conditions to regulate the place of instruction and maintain the current compatibility of the use with the adjoining land uses. Approval will facilitate the updating of City records on the current land use, including updated site development plan and building plan approvals for the site.