

# *The village of Sunningdale*

## *BUILDING & GARDEN REGULATIONS*

*November 2019*

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The Regulations are designed to assist the homeowner in satisfying the requirements of the Sunningdale Homeowners Association without the limitation of individual planning. The Regulations are particularly simple to follow and are divided according to the primary elements of the house.

## 1. DEFINITIONS

- i. "ASSOCIATION" shall mean the Village of Sunningdale Home Owners Association;
- ii. "VILLAGE" shall mean the township of La Lucia extension 10 and known as The Village of Sunningdale, situated at the County of Victoria, Province of Natal;
- iii. "PROPERTY" shall mean the property within the Village, owned by the relevant member and shall include sectional title units and the concomitant common property as defined in the Sectional Titles Act 95 of 1986;
- iv. "MEMBER" shall mean a member of the Association including body corporate established in terms of the Sectional Titles Act 95 of 1986 which controls property within the Village;
- v. "UNIT" shall mean any dwelling, free standing property or sectional title unit within the Village.

## 2. BUILDING REGULATIONS

### 2.1 MUNICIPAL CONTROLS:

#### Height:

Each dwelling may not exceed two (2) storeys in height. A storey is accepted at a maximum height of 3.5 metres and shall be measured from the completed floor level up to the underside of the completed ceiling.

#### Building Lines:

Front Boundary 2 metres

Side Spaces: 2 metres for a single storey property and 3 metres for a double storey property.

#### Minimum areas per dwelling:

Single Dwelling: 100 square metres excluding garage areas, outbuildings and verandas

Maisonettes; 80 square metres excluding garage areas, outbuildings and verandas.

#### Parking Facilities:

Special Residential parking: Each dwelling is to have a single garage

Maisonettes: Each unit to have a single garage

Ancillary units: Each unit is prescribed a single parking bay on site.

#### Maximum Coverage:

35% of the site area may be covered and this area includes cabanas, timber huts, carports, awnings, outbuildings and garages.

#### Maximum Floor Area Ratio (FAR):

35% of the site area and this includes all habitable rooms and floor levels but excludes garages and carports.

#### Minimum Garden Area:

50% of the remaining 65% site area may be so utilized with swimming pools and garden areas included. Further only 50% of the remaining 65% may be paved. Adequate drainage is essential as per the local by-laws.

Ancillary Units:

One such unit is allowed per special residential property and is limited to 80 square metres and a maximum of two (2) bedrooms.

## **2.2 SUNNINGDALE HOME OWNERS ASSOCIATION REGULATIONS:**

Additions and Alterations:

2.2.1 No member may alter or add to his/her property so as to affect the external appearance or colour thereof except with express prior written consent of the Association. The granting of such consent the Association reserves the right to impose any such conditions as it may deem fit in the circumstances.

Included under the terms "Additions and Alterations" are:

- Structural alterations and additions;
- Enclosure and construction of carports/shade ports;
- Erection of walls, fences and all types of retaining walls exceeding 1 metre in height;
- Construction of swimming pools, fountains, pergolas and driveways;
- Erection of timber huts, cabanas or sheds;
- Erection of blinds, awnings or canopies;
- Exterior paintwork (except for when the colour chosen is identical to the existing colour of the property);
- Solar panels – approval of the Trustees of the Body Corporate for sectional title units;
- Rainwater harvesting tanks. The placement of these tanks is to be sensitive to all owners in Sunningdale and consent must be obtained by neighbours in free standing houses and neighbours and Trustees of the Body Corporate for sectional title units.

NOTE: There are to be no external water geysers. Geysers are to be concealed within a roof structure.

2.2.2 No construction or erection of any alterations or additions to a property may commence prior to the due and proper approval of plans for such construction, improvements, alterations or renovation by both the Association and, where required, the local authority (municipality) in accordance with the following provisions:

- i. The member shall submit to the Association for approval a full set of the proposed building plans or alteration plans which indicate both construction and design details;
- ii. The member shall be liable for payment of the reasonable cost of professionally scrutinizing and examination of such plans by the Association;

iii. After the approval of such plans by the Association the plans shall be submitted to the local authority for approval. No plan shall be submitted to the local authority unless it bears the endorsement of approval of the Association, clearly dated, certifying that the plan complies with these Regulations.

2.2.3 Deviations from the above approved plans are likely to invalidate the initial approval by the Association and as a consequence amended plans depicting the deviations are to be submitted to the association along with a determined scrutiny fee;

2.2.4 Timber huts/cabins are only permitted solely for storage and at no point may such a hut/cabin be used for human habitation. Before any such structure may be erected, written consent must be obtained from all adjacent neighbours and these must be submitted to the Association, together with fully detailed plans, via the Association's managing agents. Further, such structures are not permitted to be erected on the side of the property facing the road and size of the structure is limited at 9 square metres. Pre-moulded huts or pre-fabricated huts are preferred.

2.2.5 All properties are to be enclosed for the express purpose of screening washing lines from public viewing from the street and neighbouring properties.

### **3. ROOFS**

The minimum allowed pitch to all areas shall be equal to 17.5 degrees. Take note that flat roofs are permitted but are not recommended.

The following materials are permitted regarding roofing:

- Clay or concrete roof tiles, IBR concealed fix sheeting and profile aluminium sheeting;
- Rainwater goods such as PVC, fibre cement, zincal and aluminium;
- Fascia and barge boards;
- Exposed roof timber provided that these be painted black or stained;
- Flat concrete roofs provided that these are to be waterproofed with a non-reflective sealant.

Materials excluded are:

- Fibre cement sheets;
- Corrugated sheeting.

#### Roof Colours:

Painted roofs are encouraged to prolong the lifespan of typical concrete tiling. Pale colours are considered preferable to darker colours due to heat absorption. Permitted colours include cream, terracotta's, reds, browns, greens and greys. Bright primary colours are excluded.

### Roof Trims:

Fascia and barge boards and gutters may be painted in browns, greys, beige, white and hunter's green. Excluded are bright yellows, reds, blues and black.

## **4. WALLS STRUCTURAL**

Walls may be decorated with pre-cast mouldings, arches and columns provided that such decorations are in keeping with the architectural style of the property.

### **MANDATORY REQUIREMENTS:**

#### Materials:

All walls to the main property and outbuildings are to preferably constitute clay masonry. However, concrete blocks may be used as a minimum standard. All brickwork to comply with National Building Regulations.

#### Finish:

Walls may be:

- Smoothly plastered and painted;
- "Rough cast" or "Scratch plastered" and painted;
- Face brick, brick tile cladding, smart stone cladding, natural stone cladding or slate tile cladding.

#### Painting:

For reasons relating to the maintenance of neighbouring property values and to sustain appeal, all painted surfaces are to be maintained to an appealing standard.

Regarding the colour of the paint that may be used, earth tones are preferred. Further, white or pastel shades are also permitted along with multi-tone colours provided these colours are complimentary of each other.

## **5. WALLS: GARDEN & BOUNDARY FREE STANDING WALLS**

Boundary walls must be designed and erected in furtherance of the architectural style of the property as a whole.

Should a front boundary wall be erected such erection must not exceed 2.4 metres in height. Plinths, mouldings, copings and columns as architectural elements may be used to improve the appearance of a boundary wall.

Gate designs must conform with the architectural design of the main property. Gates may be stained or consist of appropriately finished hardwood, hot-dipped galvanized mild steel painted and stainless steel.

Materials that may be used:

- Street facing boundary walls are to be face brick or plastered and painted masonry;
- Scratch and roughcast plaster;
- Plastered concrete blocks;
- Hot-dipped galvanized steel fencing;
- Pre-cast concrete fencing may be used on duo face only.

All side and rear boundary walls may be:

- Plastered and painted concrete block, clay or face brick;
- Precast concrete fencing;
- Diamond wire mesh fence;
- Bagged brick or block masonry.

## **6. FENCING REGULATIONS**

Wire fences may only be erected under exceptional circumstances and after written approval has been received from the Association. Such permission will be withheld in the following circumstances:

- The said wire fence is clearly visible from any public road or open space;
- The enclosing of individual units within a sectional title development;
- The owner or occupier of an adjacent property objects to such a fence in writing.

Should the above permission be granted by the Association the member seeking such permission bears the duty of having the erected wire fence completely covered in vegetation within 24 months of the erection of the fence or it shall have to be removed. The decision of the Association in this regard is final and not subject to appeal.

## **7. GARAGES**

Mandatory requirements:

Each property is to have a single garage. Timber or factory painted and galvanised steel garage doors are permitted. Fibreglass doors are permitted.

Excluded:

- Shade Cloth;
- Tarpaulins.

## **8. PAVING REGULATIONS**

As stated at clause 2.1 above, only 50% of the remaining 65% (being the maximum percentage allowed for yard size) may be paved. Also swimming pools and pathways are to be included in the 50% ratio. Owners to ensure adequate drainage as per by-laws.

## **9. SIGNAGE AND POST BOXES**

All properties are to be clearly numbered with proper signage reflecting the correct street number of the property. Such numbering must be clearly visible from the road. Further requirements:

- Numbers are to be made from powder coated aluminium, stainless steel, solid brass, glazed ceramic or PVC;
- Numbers are to be affixed to the boundary wall or gate;
- Post boxes may be made from PVC, fibre cement and aluminium. Mounting post boxes within or on walls is permitted.
- Post boxes mounted on timber poles as well as free standing signage are not permitted.

## **10. GENERAL**

### **10.1 MAINTENANCE OF PROPERTY**

All members shall ensure that their respective properties and yards are kept in a neat and clean state of repair at all times. Discretion is bestowed upon the Association to determine whether a property is being suitably maintained as per the aforementioned. Should it decide that a property is not being adequately maintained it may inform the relevant member thereof in writing. Should a member not respond to the notice or does not affect the necessary maintenance or repairs to his property within a reasonable time the Association may take the necessary action to effect the required repairs and maintenance the account of which shall be for payment by the transgressing member.

### **10.2 MAINTENANCE OF GARDEN AREAS**

- Members shall maintain their garden areas and shall not utilize them in a manner or for any purpose as is likely to impair the safety, appearance or amenity of other garden or public areas;
- The erection of statues, bird-baths, flower boxes and other garden ornaments and furniture is not subject to prior consent by the Association and as such are subject to the sole discretion of the member relating to appearance and suitability. However, application to the Borough of Umhlanga in obtaining approval for the erection of immovable ornaments is still required;
- All garden refuse and garbage must be disposed of in the manner provided in these Regulations failing which in a manner designed not to impair the appearance of the member's garden or public areas;

- No member may erect washing lines or a windy drier on any portion of the property other than within a screened "kitchen yard";
- The responsibility for garden upkeep extends to the verge. Note that where the member's property adjoins a Green Open Space maintenance of such will lie with the Municipality;
- The burning of garden refuse is strictly prohibited;
- Dumping of garden refuse on pavements, adjacent servitudes or municipal property is strictly prohibited;
- Garden refuse is to be disposed of using the municipal authorized refuse bags which are to be placed on the verge on collection day as designated by Durban Solid Waste;
- No member shall allow any portion of their garden area to become bare or exposed earth and suitable ground cover planting or artificial lawn is required to protect the topsoil from erosion;
- Weeds on lawns, banks and within garden beds are to be removed timeously;
- Surface storm water runoff is to be directed to the municipal storm water system in a way that will not cause damage to neighbouring properties;
- Pools are to be properly maintained at all times in order to avoid the breeding of mosquitoes and the creation of noxious smells or odours.

## **11. AESTHETICS**

The following items relating to the aesthetic appeal of a member's property are permitted:

### Driveways:

- Clay brick paving;
- Concrete brick paving;
- Cobblestone paving;
- Grass blocks;
- Tarmac.

### Lighting:

- External light fittings must be aesthetically pleasing.

### Television aerials:

- Television aerials within member's roofs as well as exposed aerials are permitted;
- Satellite dishes are permitted provided that they are discreetly positioned.



Service areas:

- Service areas are to be obscured from viewing from street level.

Retaining walls:

- Where these walls are pre-cast only dry-stack system is permitted.

General:

- Pre-painted aluminium awnings are permitted;
- Air-conditioning units visible from the street are permitted;

- Electric fencing on street boundary walls is permitted.

#### Gazebos:

- Only gazebos which are to be designed in accordance with the municipal and these regulations shall be permitted.

#### Flags and symbols:

- These are permitted provided that they are erected within the property's building lines and maintained at all times.

The following items relating to the aesthetic appeal of a member's property are **NOT** permitted:

#### Driveways:

- Concrete slabs;
- Loose rubble and crusher run.

#### Service areas:

- Washing lines viewable from street level are not permitted;
- Dog kennels visible from street level are not permitted;
- Temporary structures visible from street level are not permitted.

#### Retaining walls:

- Bagging or painting of a pre-cast retaining system is prohibited;
- Non vegetated pre-cast retaining walls on the street frontage are prohibited.

#### General:

- Exposed foundations;
- Washing on balconies and balustrades.

#### Flags and symbols:

- Deteriorating or un-maintained flags are not permitted.

## **12. PLAN APPROVAL PROCEDURE**

### **12.1 PLANNING AND AESTHETICS COMMITTEE:**

Sketch plans may be submitted to the Planning & Aesthetics committee of Sunningdale or their assigns for pre-scrutiny and preliminary discussion. This is to ensure that the proposed developments comply with these Building Regulations in all respects and to avoid any unnecessary delay and expense.

Any relaxation of these Building Regulations will be at the sole discretion of the Planning and Aesthetics Committee. Should such relaxation be required the applicant shall submit a letter of motivation along with supporting drawing clearly setting out the need and reasoning for such a relaxation. Such reasons are to be founded on but not limited to topography, site shape, site size, costs and design consideration. Should approval be granted by the Planning & Aesthetics Committee the normal procedure for relaxation, as required by the local authority, must then be followed.

Two (2) sets of working drawings are to be submitted by the member to the Planning & Aesthetics Committee for approval.

A plan scrutiny fee shall be charged on all plans duly submitted for approval. It is also important that any outstanding membership fees be settled prior to plan submission.

The Planning & Aesthetics Committee reserves the right to resort to its discretionary powers should any ambiguity arise or exist in these Regulations or where incorrect interpretation of the Regulations has taken place.

## **12.2 LOCAL AUTHORITY:**

Once the aforementioned plans have been approved by the Planning & Aesthetics Committee they are to be presented to the local authority for their approval prior to commencement of building.

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