



Lovemore Heights Estate

Homeowners Association

Annexure "D"

Design Manual

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The latest version supersedes and replaces all
previous versions

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1. DEFINITIONS

(Only for the purposes of this document)

- 1.1. "Dwelling" means a self-contained interleading group of rooms used only for the living accommodation and housing of a single family.
- 1.2. "Outbuilding" means a subsidiary and single storied structure used or intended to be used for the housing of servants, the garaging of motor vehicles and for storage purposes, ordinarily and reasonably required in conjunction with the main structure.
- 1.3. "Coverage" means the total percentage area of site that may be covered by buildings, measured over the outside walls and covered by a roof or projection provided that the area covered by a maximum eaves projection of 1,0 meter shall be excluded for the purpose of determining the maximum permissible coverage and shall include outbuildings.
- 1.4. "Lateral boundary" or "side boundary" of an erf means a boundary other than a street boundary or a rear boundary.
 - 1.4.1. "Street boundary" means the boundary of an erf, which forms the boundary of a street/road reserve, as demarcated on the subdivision plan.
 - 1.4.2. "Rear boundary" in relation to a site, means every boundary thereof (other than a street boundary) which is parallel to, or is within 45 degrees of being parallel to every street boundary of such site or erf; and which does not intersect a street boundary.
- 1.5. "Homeowners Association Property" means any property as demarcated on the subdivision plan including road verges, roads, gatehouses, perimeter fences, private open spaces, etc. including any services and landscaping thereon or there under.
- 1.6. "HOA" means Lovemore Heights Estate Home Owners Constitution.
- 1.7. "Local Authority" means the Nelson Mandela Metropolitan Municipality.

2. INTRODUCTION

The purpose of this design manual is to provide rules and guidelines in order to create a pleasant living environment and to protect the interests of home owners. These rules and guidelines are not finite and may be amended in terms of the Constitution of the HOA.

The guidelines contained in this manual should be read in conjunction with the Constitution of the HOA and in the Deed of Sale. In the event of any discrepancy between the two documents, the Constitution shall take precedence.

Prior to the election of EXCOM in terms of the Constitution, the Developer shall fulfil the functions of EXCOM.

3. FUNCTIONS AND DUTIES OF THE PLAN APPROVAL COMMITTEE

The Plan Approval Committee shall be required to:

- 3.1. ensure that no constructions, erection or implementation of building works to any erf may commence prior to the approval of plans by it, HOA Architect's approval and the Local Authority;
- 3.2. ensure that the provisions of the Lovemore Heights Estate Design Manual are complied with in regard to the erections or alterations to a building on any erf;
- 3.3. ensure that the building planning process as provided for in the Lovemore Heights Estate Design Manual is complied with.

4. THE BUILDING APPROVAL PROCESS:

Owners are advised to appoint suitably qualified consultants who will be required to submit their design in the following stages:

4.1. Stage 1

- 4.1.1. The design concept plans must be submitted to the Plan Approval Committee.
- 4.1.2. Stage 1 submissions to include two (2) on A3 copies (larger for clarity) of the following:
 - 4.1.2.1. 1:50 floor plans, sections and elevations;
 - 4.1.2.2. 1:200 site contour plan with indicating contours at 500mm intervals, siting of buildings and vehicle access; showing the maximum height restriction of 8.50m.
 - 4.1.2.3. clear indicators of proposed exterior finishes and fenestration.

4.2. Stage 2

- 4.2.1. A 2 sets of A4 size prints to be submitted to the Plan Approval Committee for their approval, for new houses or Alterations referring to building additions or alteration. The required scrutiny fee of R1000.00 (exclusive of VAT) will be payable to the HOA, towards the HOA Architect's scrutiny fee. A required scrutiny fee of R500 (excluding Vat) will be paid towards, the HOA Architect's fees for approval of plans pertaining to alterations.
- 4.2.2. An extra copy of the detailed drawings as mentioned above must also be submitted. This will be kept on record by the HOA.
- 4.2.3. No alterations/changes to an approved plan, elevations and specifications may be made without the written consent of the Plan Approval Committee.

4.3. Stage 3

- 4.3.1. After the detailed drawings have been stamped and endorsed by the Plan Approval Committee of the HOA and subsequently by the LOA Architect the endorsed drawings shall be submitted by the owner or his nominated representative to the Local Authority for its approval, prior to any commencement of the works.
- 4.3.2. It is the sole and final responsibility of the Local Authority to approve building plans.
- 4.3.3. The rules and guidelines contained herein shall also apply to any alteration, addition, renovation or external redecoration undertaken.
- 4.3.4. When the Local Authority approves the plans, building work may commence and shall be done in compliance with the following provisions:

- 4.3.4.1. the Members shall comply with all standards and conditions imposed by the Local Authority insofar as these may be additional to the requirements of the Design Manual read with the plans;
- 4.3.5. Any plan notwithstanding approval by the Local Authority, which has not been prepared or submitted and/or approved in compliance with the above procedures shall be invalid.
- 4.3.6. Any Member of the Plan Approval Committee shall be entitled to:
 - 4.3.6.1. enter upon the erf in order to inspect the erf and/or any improvements thereon;
 - 4.3.6.2. appoint an independent contractor at the Member's expense to ensure compliance with the obligations contained in the Lovemore Heights Estate Design Manual;
 - 4.3.6.3. Institute legal proceedings against the Member who shall be liable to the Plan Approval Committee and should it be successful in its legal action claim costs thereof on scale as between attorney and own client.

5. INFORMATION TO BE PROVIDED ON DRAWINGS/PLANS SUBMITTED FOR HOA APPROVAL:

Apart from the requirements of the Local Authority in terms of the National Building Regulations, the following must also be shown on the drawings/plans:

- 5.1. Total floor area of dwelling.
- 5.2. Total floor areas of outbuildings.
- 5.3. Total areas of open areas (Driveways, gardens, laundry yards etc)
- 5.4. Proposed floor levels.
- 5.5. Stormwater management.
- 5.6. Proposed elevations of both dwelling and outbuildings. The elevations shall give a clear indication of the exterior treatment of such, the materials to be used and the colours of roofs, walls, including the perimeter walling/fencing.
- 5.7. Please note that no **SketchUp** or similar presentation drawings may replace the standard working drawings. They will only serve to assist the committee to scrutinise the proposal.

6. GENERAL ARCHITECTURAL REQUIREMENTS:

(These requirements are in addition to the Local Authority's building regulations):

6.1. General:

- 6.1.1. To allow for diversity and interest, a variety of individual Architectural Designs will be encouraged.

The building sub-committee may make recommendations to the Chairman for deviations from the design manual to accommodate situations specific to alterations and extensions to existing houses. This will also include the incorporation of new technologies into existing houses. The Chairman's decision on any matter referred will be final and binding.

6.2. Minimum Floor Area:

6.2.1. The minimum floor area of the dwelling on each erf (excluding garages, storerooms and staff accommodation) shall not be less than 120 square meters. (One hundred and twenty square meters).

6.3. Height Restrictions:

Refer to diagram attached.

6.3.1. The maximum height of any building is limited to 8.5M from the natural ground level directly below such point or portion of the building to the top of parapet or highest pitch of roof, of which no floor may be greater than 4m (unless double volume areas which shall not exceed 8.5m) and the roof space shall not exceed 3 m. (Height excludes chimneys).

6.3.2. No buildings may exceed 2 stories plus a loft.

6.3.3. A plan indicating the mean finished ground level of each erf will be submitted by the Developer to the Council on completion of the civil infrastructure.

6.4. Roofs:

6.4.1. No reflective roofing material may be used.

6.4.2. All roofs must have gutters and downpipes.

6.4.3. No flat roofs shall be permitted to be visible from the street, except in the form of a balcony. Balconies may comprise a maximum of 20% of the total footprint area. Flat roofs may be of concrete or timber boarded and felt. Concrete flat roof to be provide with a min 1:80 slope on min 30mm screed to outlets and waterproofed with a bitumen base waterproof system. All gutters to be fixed on fascia/sprockets.

6.4.4. Roof pitches shall not be less than 22 degrees for tiled roofs. Flat roofs and verandas excluded.

6.4.5. No thatch, Big Six or Canadian Profile fibre-cement, IBR sheeting or see-through sheeting shall be permitted. Victorian Profile corrugation roof sheets (fibre-cement or galvanized metal) shall be permitted.

6.4.6. No more than one type of roofing material shall be visible from any immediate street elevation.

6.4.7. Roof colours shall be dark green, black, grey, terracotta, or brown.

6.4.8. Dormers shall be limited to 50% of the roof space and external elevations shall be vertical. (Vertical dimensions must exceed horizontal dimensions).

6.4.9. Roof overhangs will be encouraged to comply with SANS 10400 Part XA but limited to 1000mm.

6.4.10. Flat roofs covered with Bitumen (or equal approved) should be laid on marine boarding (or equal approved), onto rafters, secured to walls and painted same colour as the main roof, will be permitted over Entertainment verandas only. Roof to be concealed by parapet walls or fascia boards.

6.5. External Colours and Finishes:

6.5.1. Wall colours shall be limited to whites, earthy shades and light pastels, Different tones of these colours will be accepted.

6.5.2. The use of plaster mouldings is encouraged.

- 6.5.3.Face or un-plastered brick shall be permitted to maximum of 1,5 m. plinth and not exceeding 10% of wall areas.
- 6.5.4.No stonework shall be permitted unless as a feature e.g. plinths, chimneybreasts etc.
- 6.5.5.No timber buildings shall be permitted.
- 6.5.6.Fibre-cement shiplap-style cladding is permitted.
- 6.5.7.No bagged plastering or Spanish-style plastering permitted.

6.6. Boundary Walls and Fences:

- 6.6.1.Internal boundary walls are not mandatory.
- 6.6.2.Yard walls and screen walls, 1800mm.high, should complement the basic materials of the buildings.
- 6.6.3.Concrete walls/fences including concrete palisade or sheet metal fencing will not be permitted.
- 6.6.4.Plastered and painted block/masonry walls with or without plinths and steel palisade panels preferred. Picket fencing permitted as per attached examples. No steel palisade only fences. Two to four courses (to the minimum height) of face brick plinth will be permitted on boundary walls.
- 6.6.5.Boundary walls shall not exceed 1.8 meters above ground level.
- 6.6.6.No modifications or additions to any external boundary walls/fences around the Estate shall be permitted.
- 6.6.7.No precast concrete or "vibracrete" walls shall be permitted.
- 6.6.8.No electric fencing permitted, due to fact that entire perimeter of the Estate is electrified.
- 6.6.9.No precast concrete balustrades shall be permitted.

6.7. Garages, Driveways and Carports

- 6.7.1.Lean-tos and carports will be permitted and the design is to compliment the general appearance of the house / tie in with the design of the house. The following restrictions apply:
 - Maximum size of 6m x 6m, internal measurements
 - Maximum heights 3.6m,
 - May not be converted into a habitable space
 - The design must blend in and compliment the dwelling,
 - Plastered brick columns or galvanised steel columns to be painted to match dwelling,
 - Similar flat roofs as per 6.4.3 or corrugated sheeting. All behind fasciae.
 - Roof colour to match existing house roof colour.
- 6.7.2.Driveways must be constructed over carriageway crossings. Driveways and parking areas visible from the road must be paved. No crushed stone, gravel or any form of broken brick (crazy brick) or brick imprinted paving allowed. Regular pavers or asphalt is acceptable.
- 6.7.3.A minimum of two 100mm sleeves are to be laid under driveways and paths constructed across verges for the purposes of accommodating any pipes and cables that may be laid in the future.
- 6.7.4.Steel garage doors must be painted.

6.8. Outbuildings

- 6.8.1. Outbuildings and additions should match the original design and style, both in elevation and material usage.
- 6.8.2. Staff accommodation and main kitchen shall open onto a screened yard or patio, if applicable.

6.9. General:

- 6.9.1. Awnings, TV aerials, external blinds, and other items, which do not form part of the basic structure, should be clearly shown and annotated.
- 6.9.2. No free-standing satellite dishes or other free-standing aerials will be permitted.
- 6.9.3. Solar heating panel, if used, should be incorporated into the buildings to form part of the basic structure and should be clearly shown and annotated. Panels should not extend above the roof profile.
- 6.9.4. Heat Pumps, if used, should where possible be concealed from the street and clearly shown and annotated.
- 6.9.5. Water Tanks, if used, to be concealed (behind screen walls) from the street and to be annotated clearly. Colours will be restricted to those provided below.



- 6.9.6. A sketch plan (if existing houses) indicating the number and position of Photo Voltaic panels must be presented to the Plan Approval Committee before installation.
- 6.9.7. Signs relating to the address and/or name of the house are permitted, provided the height of the lettering does not exceed 300mm.
- 6.9.8. Washing lines shall be fully screened from the street elevation or other visible elevations.
- 6.9.9. Areas used for storage of garbage to be concealed from the street.
- 6.9.10. All street facing and first floor plumbing to be concealed.
- 6.9.11. Plumbing pipes to be concealed as far as possible, painted the same colour as the walls where possible.
- 6.9.12. Bargeboards, gable tiles or gable walls must be used on gable ends.
- 6.9.13. No Winbloks or glass bricks shall be permitted.
- 6.9.14. Conservatories shall be limited to 15% of plan area.
- 6.9.15. No aluminium, fibre glass or shade cloth awnings shall be permitted.
- 6.9.16. No external burglar bars permitted.
- 6.9.17. All dogs kept on an erf shall be contained in an adequately walled area.
- 6.9.18. Tennis courts are permitted and may be built on the boundary line with the neighbour's written permission.
- 6.9.19. Swimming pools are permitted provided they are constructed below ground level or behind masonry or concrete retaining walls.

- 6.9.20. No businesses shall be permitted to be run from any home unless written permission is obtained from the HOA.
- 6.9.21. Caravans, boats and trailers must be concealed inside garages or screened from the street and neighbours.
- 6.9.22. Outside lighting needs to be positioned in a thoughtful and considerate way so that it does not in anyway cause a glare, irritation or disturbance to the adjoining Erf (neighbour), or in anyway focus onto the street.
- 6.9.23. External Christmas lights / light up decorations may go up 15 days before Christmas (10 December) and be removed by 10 January. Neighbours and the HOA are to be informed beforehand regarding decorative festival lights. Only illuminated from 19h00 to 00h00, except on the 24th and 25th December as well as the 31st December when there will be no limitations.

6.10. Drainage

- 6.10.1. Each erf will be provided with a storm water connection into which all drainage from downpipes, paved areas, tennis courts and swimming pool must be discharged. Pools will not be allowed to discharge into gullies.

6.11. House Forms:

- 6.11.1. Curves in plan shall be restricted to architectural features and shall not exceed 15% of plan area.

6.12. Insurance

- 6.12.1. Each member of the HOA shall insure his property for its replacement value, including paving, boundary fences, and other structures for its replacement value, and provide proof of such insurance if requested by the HOA.

PLEASE NOTE:

Notwithstanding the fact that the building plans may comply with the above, the endorsement of such plans shall be at the sole discretion of the Plan Approval Committee of the HOA, with final approval by the Local Authority.

Nothing in the above shall be constructed as permitting the contravention of the Conditions of Title of any erf or By-Laws of the Local Authority.

7. TOWN PLANNING SCHEME CONTROLS:

Apart from the Design Guidelines, all plans shall comply with the conditions stipulated on the Approved Precinct Plan, copies of which are obtainable from the Council as applicable to the property.

7.1. Boundary Pegs

Prior to commencement of building work, it is the responsibility of the owner to have the erf boundary pegs surveyed and check. Boundary pegs are to be checked again after completion of the building. The HOD may also require that a Land Surveyor check the building height after completion of the building. Neither the Developer nor the HOA will be liable for incorrect positioning of boundary pegs or incorrect height to buildings.

7.2. Building Lines:

7.2.1. Street boundary building line:

- Single Road Frontage: 4.5 meters
- Dual/multiple Road Frontage: 4.5 meters on one side and 3 meters on the other/s.

7.2.2. Side/Lateral boundary building line:

- For an erf with frontage of less than 18m:
 - 1 Meter to any side boundary provided that the aggregate side space shall not be less than 3.0 meters.
- For an erf with frontage of more than 18m:
 - 2 Meters to any side boundary.

7.2.3. Garages:

- 3 metres if garage opens to street
- 1metre if garage opens perpendicular or facing away from street.
- Outbuildings constructed on the 1m building line may not be converted into habitable spaces. Building lines for dwellings will be enforced when converting these outbuildings into habitable areas.
- May be constructed 1.5m from any boundary other than street boundary with neighbour's written consent
- Do not form part of the side boundary "aggregate calculation" as described above.
 - Note:
 - No windows will be allowed in any wall which is less than 1,5 meters from the side or rear boundary.

7.2.4. Rear boundary building line:

- 3 Meters from rear boundary.

7.3. Coverage:

7.3.1. The maximum coverage shall not exceed 50%.

8. ACCESS:

No access to and from any erf (vehicle or pedestrian) shall be allowed from any external boundary of the Estate, except those accesses as provided by the Developer.

9. SITE ENVIRONMENTAL ISSUES:

9.1. The objective is to ensure that the proposed development of the erf takes into account the surrounding environment and that the construction thereon takes place in an appropriate manner.

9.2. The owner of each erf will be responsible for any development on the erf, including any damages caused by such activities.

9.3. The owner shall ensure that his/her contractor, subcontractors, employees, suppliers, agents or servants are fully aware of the requirements detailed in Clause 12.4.

9.4. Environmental Guide Lines:

9.4.1. Any building material, imported material, etc. shall be stored within the erf boundaries with proper protection against wind and water erosion.

- 9.4.2. All construction activities and the placing of cabins, chemical toilets, stores etc. shall take place within the erf boundaries.
- 9.4.3. Any vehicles and other engine operated equipment and machinery must be maintained in good condition in order not to contaminate the soil, storm water system, roads, road reserves, etc. with fuels, oils, hydraulic, fluids etc.
- 9.4.4. Fuels and oils must be stored in leak proof and sealed containers, as to protect them from the elements.
- 9.4.5. Trees to be retained on an erf shall be properly protected against any damage during construction.
- 9.4.6. No sand, cement, oil, fuel, paint etc. shall be allowed to be washed into the storm water system, roads, etc.
- 9.4.7. The contractor shall provide adequate sanitary facilities for all his employees, subcontractors, etc. These facilities shall be well maintained and always kept in a clean and hygienic condition.
- 9.4.8. Refuse/Building rubble (Food waste, cable pieces, tree stumps, building materials, oil, etc.) shall be properly managed and controlled, and shall be removed off site to a site approved by the Local Authority at least once a week.
- 9.4.9. Refuse bins shall be provided by the contractor on each building site and shall be wind proof and animal proof.
- 9.4.10. Blasting, drilling, hammering, or any other activity that causes noise pollution shall be strictly during working hours as per the Local Authority requirements.
 - 9.4.10.1. The use of ready-mix concrete is encouraged.
 - 9.4.10.2. Cement must be mixed on mixing boards, and not directly onto the ground surface. (Cement powder has a high Ph and spillage will adversely affect the chemical properties of the soil and water).
 - 9.4.10.3. No burial or burning of refuse (as described in viii.) will be allowed on any erf or property of the HOA.
 - 9.4.10.4. Dust must be properly controlled by means of staked shade cloth barriers and wetting down.
- 9.5. All outside lighting needs to comply to the Environmental Act. The preservation of the night sky should be considered. All lighting must be restricted to the bounds of the Erf intended for and light must not filter beyond these boundaries.

10. MAINTENANCE OF ROAD VERGES AND UNDEVELOPED ERVEN:

- 10.1. Before any construction activities commence the registered owner of an erf shall pay a deposit to the Seller's Conveyancer of R2,000.00, which shall be transferable to the HOA upon request being made by the HOA for payment of same, which amount shall be utilized by the HOA to repair/fix any damaged street light fittings, verges, street signs etc. to keep the erven clean and free of weeds and unwanted growth (a specie of willow trees grows in this area and needs to be eradicated) or for the clearing, removing of builders rubble or for any other purpose that the HOA might deem appropriate for maintaining a clean, healthy and tidy environment for co-home owners.
- 10.2. On occupation of the dwelling, or completion of the landscaping contract, or final removal of building rubble, the HOA shall refund to the owner any deposit not yet utilised by it in carrying out its aforesaid duties.

- 10.3. The amount of R2,000.00 can be increased should the HOA deem it necessary.
- 10.4. The maintenance of the road verge adjacent to each erf will be the responsibility of that owner.
- 10.5. Where owners fail to adhere to items 10.1 and 10.2 within 7 days of written notice by the HOA, the HOA may instruct its agents or any outside contractor to carry out the necessary work at the owner's expense.

11. SECURITY

- 11.1. All owners shall comply with the security systems set up, implemented and amended from time to time by the HOA.