

Shelley Point Building Design Manual

1. PREAMBLES

1.1 CONCEPT

The aim is not to re-produce a West Coast Fishing Cottage, but rather to create a variety of aesthetically pleasing homes, well suited to modern living, that reflect the architectural style of the area by adapting the features such as dark pitched roofs with parapet gables, white painted plastered walls, and simple (if any) decorations.

1.2 BUILDING DESIGN STANDARDS

These requirements are in addition to the regulations and by-laws of the Local Authority and the National Building Regulations. The Developers reserve the right to make any additions or alterations to these Standards that, in their opinion, are necessary to preserve the architectural style and harmony of the Development.

1.3 DESIGN of HOUSES / BUILDINGS

To maintain the required Standards, all building work of any nature which requires the submission of Plans to the Local Authority, must be designed by a registered Architectural Practice, Architect or at least a Senior Technologist.¹

1.4 APPROVAL

All proposed building work is to be approved by the Developer, the Shelley Point Home Owners Association (SPHOA) and an independent architect duly appointed by the Developer and SPHOA, for which a scrutiny fee will be charged prior to submission to the Local Authority.

2. SUBMISSION FOR APPROVAL

No buildings, walls, fences or other structures may be erected until the Developer, SPHOA and the Local Authority have approved the plans submitted in respect of the work to be so conducted.

Five sets of the documentation, signed by the owner, must be submitted.²

2.1 DOCUMENTATION REQUIREMENTS

- All plans, elevations and sections are to be dimensioned and drawn to scale.
- The following minimum requirements must be submitted to the Shelley Point Home Owners Association:
 - Site and all floor plans: showing building lines; contours; datum level and floor levels; and any proposed excavations, walls, swimming pool, driveway.
 - All elevations of all buildings, structures, walls, gates; the natural ground level; floor and building height levels; material and colour details for roofs, windows, doors, gutters, rainwater downpipes, columns, poles, awnings.
 - Sections showing heights of building and natural ground line.
 - Proposed external finishes and colour scheme.
 - Any other information required by the Developer and the SPHOA or their Agents.

2.2 SCRUTINY FEE

A fee is payable for each submission by or on behalf of the property owner ("the Owner") to the appointed Architect to scrutinize the documentation. This fee is based on the time charge for two hours of a Principal of an Architectural Practice, as recommended by the Institute of South African Architects, and must accompany the submission. Once written approval has been given in the form of an endorsement on the plans, the final working drawings may be proceeded with for submission and final approval by the Developer and the SPHOA. **The scrutiny fee will cover for 2 submissions. An additional scrutiny fee, to the value of one hour's professional rates is payable for each subsequent amended application after the 2nd submission.³**

2.3 APPROVAL

The approval or rejection of any proposed building by the Developer and SPHOA is final and binding upon the Owner. Deviations from the approved plans will result in penalties being levied, to be determined by the SPHOA, without prejudice to the rights of the Developer and SPHOA to require the Owner to remove or demolish any structure which so deviates from the approved plans.

¹ Par 1.3 amended at AGM on 20 December 2010

² Par2. Amended at A.G.M. on 19 December 2008

³ Par 2.2 amended at A.G.M. on 20 December 2010

⁴ Par 2.3 amended at AGM on 19 December 2008

2.4 POWER OF VETO AND APPROVAL

Notwithstanding all aesthetic or other requirements as stipulated in this having being met or not met, the Developer reserves the right to approve or reject any Architectural plans or building work that it may consider appropriate or inappropriate for the Development. Furthermore, in the event that the SPHOA and the Developer should disagree on any specific aspect relating to this Building Design Manual, then and in such event the decision of the Developer shall be final and binding.⁵

2.5 CONTRACTORS

A list of Contractors is available from the SPHOA. All builders and/or contractors must be approved by the Developer and/or SPHOA.

2.6 BUILDING DEPOSIT

A Building Deposit of R 10 000-00 is to be paid to the SPHOA (R5000-00 in respect of alterations/additions), refundable after Final Completion, removal of all rubble and rehabilitation of the surrounding area (including damage to roads, paths, pavements etc and especially vegetation disturbed on adjacent property). However, where the Owner is in arrears with its levies payable to the SPHOA, the Owner irrevocably agrees that the Building Deposit be applied towards such arrear levies. The Developer and SPHOA shall be entitled to review the amount to be paid in respect of the Building Deposit from time to time.⁶

The building deposit is not transferable between building projects.

2.7 CONSTRUCTION

All building work once commenced, shall be completed as soon as possible and shall be executed in a proper and workman-like manner, within a maximum period of one year. All material used shall be of good quality. Walls are to be constructed of clay brick or cement bricks only. Concrete blocks are not permitted. The site and the surrounding open land must be kept clear of building and other rubble/litter at all times, to the satisfaction of the Developer or the SPHOA and/or the Local Authority. Rubble or litter which might be blown by the wind must be contained and all rubble/litter must be taken to a recognized tip on a regular basis or when instructed to do so by the Developer and/or SPHOA. The primary dune, including all vegetation on the dune and open spaces in front of beachfront plots, may not be disturbed under any circumstances, either during or after building operations. It is recommended that natural vegetation be stimulated by irrigation. Paths over these dunes may not exceed 1 **metre** in width. Boardwalks to specifications herein are allowed.

2.8 ADDITIONAL REGULATIONS/MEASURES:

- 2.8.1 All buildings, structures and walls are to be completed as per approved plan.
- 2.8.2 All paving, boundary walling, and landscaping must be completed within the maximum building period.
- 2.8.3 All site-huts/stores must be removed at the completion of the building period.
- 2.8.4 Adjacent kerbs, pavements (and stands affected) are to be reinstated to their original condition.
- 2.8.5 All rubble and litter must be removed regularly and at the end of the building period.
- 2.8.6 Any damage to the Developer's or the SPHOA's property must be rectified.
- 2.8.7 In the event of the prescribed period of one year being exceeded, and the Owner fails to give acceptable reasons for non-compliance or fails to make acceptable arrangements, the Owner will forfeit his building deposit. All building activities will also be stopped, until the Owner submits an application to restart the building operations, together with an acceptable plan of action and target dates. He will also have to pay another building deposit as the previous deposit would have been forfeited.
- 2.8.8 If any of the above conditions are not met to the satisfaction of the Developer and/or SPHOA, then the Developer and/or the SPHOA shall be entitled to do whatever they deem necessary to rectify the shortcomings at the expense of the Owner.

⁵ Par 2.4 amended at AGM on 19 December 2008

⁶ Par 2.6 amended at AGM on 20 December 2010

3. **BUILDING RESTRICTIONS**

3.1 **BUILDING LINES**

4.5 metres from all roads; 2 metres from side boundaries; 3 metres from rear, golf course and sea boundaries, but where (in the Golf Course Estate) a rear boundary is not facing the golf course, a 2 metre building line will be permitted as to maximize the buildable area to the smaller sites. **Where a plot is bordered by two parallel roads, the road that gives access to the plot (“the access road”) will be considered as boundary for the 4,5 metre building line, whilst the boundary on the non-access road side shall be 3 metres except where the non-access road is the Golden Mile Boulevard in which event a 4,5 metre building line will still apply.**⁷

In respect of a corner plot located within the Golf Course Estate and which is bordered by a non-access road on one or both sides a building line of 2 metres will be considered.

Garages may, with the consent of the adjacent owner/s, be built up to the boundary line, provided that the roof shall not fall/slope towards the boundary or overhang over a neighbouring site boundary, except in the case of side boundaries of sea fronting properties (waterfront plots), where visual access of the sea of the properties located behind shall not be encroached upon or impaired. Owners of certain waterfront plots have a further Development Setback Line to take into consideration. This setback line might restrict building activities further than 3 metres, from the front boundaries in certain areas, as per the Development Conditions of Approval set by the Local Authority.

3.2 **HEIGHT RESTRICTIONS**

3.2.1 **PHASE 1**

In Phase 1, the Waterfront plots have a height restriction of 6,5 **metres** and the rear plots 9,0 **metres**.

3.2.2 **PHASE 2**

For Phase 2, the Waterfront plots have a height restriction of 5,0 **metres**, rear plots 7,0 **metres** and plots on the ridge adjacent the jogging trail 9,0 **metres**.

3.2.3 **PHASE 3**

For Phase 3, Waterfront plots have a height restriction of 5,5 **metres**, rear plots 7,0 **metres** and plots on the ridge adjacent the jogging trail 9,0 **metres**.

3.2.4 **PHASE 4**

In Phase 4, the Waterfront plots have a height restriction of 5,0 **metres** and the rear plots 7,0 **metres**.

3.2.5 **PHASE 5**

For Phase 5, the Waterfront plots have a height restriction of 4,0 **metres**, rear plots are between 6,0 **metres** to 8,0 **metres** and plots on the ridge adjacent to the jogging trail 9,0 meters. (plots east of the jogging trail are measured from the furthest boundary from the sea).

3.2.6 **PHASE 6**

For Phase 6, plots on the ridge adjacent the jogging trail have a height restriction of 9,0 **metres** and 6 **metres** for all other plots.

3.2.7 **PHASE 7**

For the GOLF COURSE phase, all plots have a height restriction of 7,5 **metres**.

3.2.8 **PHASE 8**

For Phase 8, the height restriction is 9 **metres** everywhere.

This means that no part of the building, except the chimney and parapets may be higher than the restricted height above the ground level. Piers or stilts are not permitted. The datum level for measuring the height restriction is the mean level of the rear boundary pegs (usually the “rear” pegs are deemed those to be the furthest from the sea, with the exception of the Golf Course Estate where the rear pegs are deemed to be furthest away from the road). A Height Certificate by a Registered Land Surveyor is to accompany all plan submissions. An “as built” Height Certificate issued by the same registered Land Surveyor who issued the Height Certificate, is a further requirement from the Local Authority as a condition to obtain an Occupancy Certificate.

3.3 **SITING OF BUILDINGS**

Owners are requested to liaise with their neighbours when planning their homes. The positioning of your building/s should not unreasonably affect the amenities of nearby properties. For example, servants’ quarters and entertainment areas should be sensitively positioned and your neighbour’s privacy respected. A new building shall take into consideration the existing adjacent buildings and shall be designed to complement them. The Developer’s decision in this regard will be binding on all parties concerned.

⁷ Par 3.1 amended at AGM on 19 December 2008

4. ACCOMMODATION REQUIREMENTS

4.1 SIZE OF HOUSE - ALL PHASES

There is a minimum requirement of 120 sq metres of habitable floor area. This excludes garages, stores etc.

4.2 GARAGES

Each property to have a minimum of one (1) garage and is to be provided with carriageway crossing and completed driveway. An additional on-site parking place is to be provided. Width of garage is to be restricted to two bays on street front.

4.3 OUTBUILDINGS

Outbuildings must be in the same style and finish as the house.

4.4 ANCILLARY BUILDINGS

No prefabricated stores, Wendy houses or other temporary structures shall be erected, except during construction when a single site-hut/store may be permitted, but must be removed on completion of the contract.

4.5 INTERIORS

The interior design and decoration is unrestricted.

5. AESTHETIC REQUIREMENTS

5.1 PLAN FORMS

Plan forms must be rectangular or composite rectangular forms. No round or other shapes will be permitted.

5.2 ROOFS

Roofs are to be pitched between a minimum of 25° and a maximum of 45°. Mansard roofs are not permitted. The Developer may allow, at his sole and absolute discretion, part of the roof to be flat for use as a terrace, or as a link between pitched roof elements. These roofs shall be constructed of timber decking, or reinforced concrete, finished with a suitable waterproofing or timber slats.

Gable ends: Gables should be simple. No curved or decorative gables will be permitted. Gable ends must be provided on all roofs except thatch and slate, where hipped gables are acceptable.

Roof Proportion: Roof height to wall height must be between 1:1 and 1:2.

5.2.1 ROOF MATERIALS

Recommended

Slate (Natural Stone)
Fibre cement tiles
Thatch
Square cut Asbestos Tiles
Cement tiles (**RENOWN, ELITE
or DOUBLE ROMAN profiles**)

Not Permitted

IBR sheeting
Steel tiles
Corrugated asbestos sheets
Mediterranean style (Rounded) tiles other than Double Roman
Foam Concrete
Corrugated Metal

The roof material selected should be consistent on a particular property.⁸

5.2.2 THATCHED ROOFS

All thatched roofs must be fitted with a fireproof blanket e.g. "Glasstex", or alternatively treated with a fireproof coating, inside and outside, approved by the CSIR, e.g. "Thatchsayf"(more expensive). This lowers insurance premiums, is safer for neighbouring buildings and keeps the dust out.

In addition to the above, all thatched roof houses must have a fire hose reel with fire hose fitted, as well as an external sprinkler system running along the ridge of the roof, and connected to the main water supply.

5.2.3 HIPPED ROOFS

Originally, hipped roofs were only permitted if natural slate, such as by MAZISTA or THATCH was used as a roof finish. The Developer has expressed the opinion that cement slates, such as the Coverland ELITE tile and fiber cement tiles may also be considered if well motivated and if the design is appropriate. Profiles, such as the RENOWN and DOUBLE ROMAN tile can only be considered in exceptional cases as a Departure Application to the provisions of this Building Design Manual. All other profiles will not be considered. A further proviso to hipped roofs is that an overhang of at least 450mm should be applicable all around. An exception would be where corbelled mouldings are considered. These mouldings will have to protrude beyond the wall face by at least 200mm. Details and moulding profiles are to be submitted for approval with the building plans.⁹

⁸ 5.2.1 Amended at A.G.M. on 20 December 2010

⁹ 5.2.3 Amended at A.G.M. on 20 December 2010

5.2.4 ROOF COLOURS

Natural Grey Slate, Natural Thatch, Dark Grey or Black Tiles.

5.2.5 OVERHANGS

It is recommended that all roofs possess an overhang of at least 450mm. Where gable walls are used, a 450mm overhang is recommended but in cases where streetscapes are established and a precedent of no overhangs are set, the Designer may provide a motivation, as not to have overhangs for the consideration of the Developer and SPHOA. The same will apply to dormer windows where fragmented fascia lines will result.

5.3 EXTERNAL WALLS

Walls should have clear, plain smooth plastered surfaces and painted or finished* White.

*Marmoran or similar approved pure White finishes with no fleck texture. No other finish is permitted.

Due to problems experienced with poor plastering, the Developer will consider a very fine stipple plaster (rough-cast plaster) slightly flattened with a wooden float. Comp-plaster with Lime is recommended, as well as the use of a "flicking" machine. A sample panel is to be prepared for the Developer's final approval.

As arches are part and parcel of the traditional Cape Architectural vernacular, segmented and full arches in well designed proposals could be considered at the Developer's discretion. The same applies for horizontal plaster flutes to provide a varied texture to walls.

5.4 PLUMBING PIPES

Prominent plumbing pipes (particularly from upper stories) must be concealed within the walls. Vent stacks should be avoided - use the new vent breather valve (VBV) or stub stack 1 meter high. Visible branches to a VBV may not exceed 300mm.

5.5 EXTERNAL DOORS & GATES**Recommended Shapes and Proportions:**

They must be rectangular simple design without curved or triangular fanlights or decoration surrounds such as rusticated quoins or mouldings.

Door Materials: Doors must be timber with glass, fielded or flush panels, or vertical or diagonal planking. Steel doors are not permitted. Dark bronzed or Black anodized or epoxy coated* aluminum, natural or painted* hardwood or White PVC, sliding doors will be permitted. **See colour guidelines.*

Garage Doors: Must be of a maximum 4880mm wide and in timber or glass fiber. The style should be the traditional horizontal, vertical, diagonal or chevron planking pattern or paneled.

Gates: Gates shall either be of solid timber properly framed and braced with horizontal, vertical or diagonal planking, or of galvanized painted steel of simple design. **See colour guidelines.* Aluminium gates to suit fenestrational elements, are also allowed.

5.6 WINDOWS

Window proportions should be either square or a vertical rectangle and of moderate size. In certain cases they may be joined together provided the vertical emphasis is maintained. Arched or raking heads are not permitted.

Window Frame Materials: Timber is recommended. Black or Dark Bronze anodized or epoxy coated aluminium or white PVC may be used. *See colour guidelines.* Steel frames are not permitted.

Glass: The use of reflective glass or reflective film is prohibited.

Shutters: External shutters must be able to cover the entire window when closed. Shutters smaller than their windows will not be accepted.

Burglar Bars: Bars should be of a simple rectangular form placed internally. If possible, they should line up the window mullions. Internally fitted burglar bars are preferred.

5.7 COLOUR GUIDELINE

Door, Gate, Window, Fascia, Barge Board, Balustrade, Stoep Pole, Exposed Timber, etc:

Recommended finishes are sealed, natural or dark stained timber or painted White, Black, or Dark Green* or Dark Blue*.

(* These Colours must be approved by the Developer, if **any** varying hues are considered.

5.8 CHIMNEYS

Chimneys are important traditional elements and must be plastered masonry. If possible they should form part of a gable end. All chimneys of open fires and braais are to be fitted with Stainless Steel gauze spark retarders to the approval of the Developer. Chimneys of thatched houses must be higher than the ridge of the roof.

5.9 YARDS

All yard walls (kitchen, drying, courtyard) should be plain, plastered brick with a simple coping painted White. They must be high enough to provide the necessary screening. All yard walls must be indicated on the plan.

5.10 SCREENING WALLS

Toilet or bathroom doors in an external wall must have a screening wall. Dustbins, washing lines, gas bottles; caravan and storage areas must not be visible from roads, parkland areas or other stands and have to be screened from view with solid masonry walls.

5.11 FENCING AND FLOWER BOXES

Only plain smooth plastered walls painted White are acceptable, preferably with the traditional coping. Timber, pole or ranch type fencing, asbestos-cement, facebrick, precast concrete, palisade fences, wire mesh or any other type of fencing, and fancy designed fences or walls are not permitted.

The use of barbed or razor wire is strictly prohibited.

5.11.1 GOLF COURSE PHASE

In order to retain the open feel with regard to sites on the golf course development phase, all boundary walls and gates within 4,5 **metres** of the **street boundary** (but not boundaries adjacent to access paths) must not exceed 1,2 **metres** in height, elsewhere the maximum height is 2 **metres**, as is the height for Courtyard and yard walls to screen washing lines. No construction of any nature (e.g. boundary walls, fences, ornaments, sculptures, etc.) is allowed beyond the 3 **metre** building line of the golf course facing plots. Lawn, trees & shrubs are suggested. Only lawn will be allowed beyond the front boundary of the golf course facing plots, to the species and specifications of the Developer.

5.11.2 ALL OTHER PHASES

In order to retain the open feel, all walls and gates within 4,5 **metres** of the street boundary, **3 metres** from sea and parkland boundaries (but not boundaries adjacent to access paths to beach) must not exceed 1,2 **metres** in height, elsewhere the maximum height is 2 **metres** including for Courtyard and yard walls to screen washing lines. **Boundary walls to panhandle properties may not exceed 1,2 metres in height along the entire length of the panhandle.**

In order to retain the open feel with regard to beach front sites, a wall demarcating the boundary furthest from the sea (and parallel to the sea), whether it is a street boundary or not, may not exceed 1,2 metres in height.¹⁰

It must be noted that in terms of paragraph 3.1, where the owners of certain Waterfront plots are affected by the defined development setback line, the Local Authority has deemed that NO permanent structures would be allowed within the setback, and that lateral or any other boundary walls, if permitted, may not exceed 1,2m in height for the total distances from the sea facing pegs to the clearly defined Development Setback Line.

All heights of walls are measured above ground level at all points of the wall.

Where stepping of a boundary wall is necessitated by the topography of the property, individual steps may be no higher than 0,4m. NO part of a stepped wall may exceed the maximum height allowed for that wall.

Boundary walls may be fitted with glass panels between pillars to enhance views onto public open space and/or the sea, subject to the following: A suitably strong Armourplate-type safety glass must be used, neighbours' privacy may not be compromised, and the height of the panels must conform to the measurements given above.¹¹

Walls on and to the side spaces should preferably not exceed 1,2 **metres**.

Kitchen yards should preferably not function within side spaces.

All walls and gates must be shown on the building plans.

5.12 POST BOXES

No freestanding post boxes are permitted.

5.13 BALCONIES AND TERRACES

Balconies and Terraces should have clean lines with plain railings, simple decorative balustrades or the traditional pattern pillars and coping wall. Heavy brick or concrete support columns should be avoided.

¹⁰ Added at A.G.M. on 20 December 2010

¹¹ Added at A.G.M. on 20 December 2010

5.14 SHADE PROVISION

Traditional style verandas or pergolas are preferred.

Canopies and awnings are acceptable if in fabric, with a maximum of 2 colours approved by the Developers. Aluminium awnings will not be permitted.

Shade netting, where visible, will not be allowed.

Pergolas should be planed timber, natural or painted*, or treated round poles. Columns/piers may also be plastered masonry, painted White.

Ground support for verandas, pergolas, canopies and awnings, eg. columns, piers, and poles of whatever nature, may not encroach over any building line.¹²

ⁱ(* Colour must be approved.)

5.15 AERIALS AND SOLAR PANELS

Television and radio aerials must be unobtrusive, preferably in the roof-space. No masts, antennae, overhead wires or similar appendages may be visible from neighbouring erven or public spaces, except one TV antenna per erf.

In keeping with the latest communication technology trends, one wireless internet antenna per erf will also be allowed.¹³

Solar heating panels should be flush with the roof and inconspicuous. Pipes must be concealed. **Geysers and/or reservoirs shall not be placed on the roof and may not be visible from neighbouring erven or public spaces, and should preferably be accommodated within the roof-space.¹⁴**

5.16 SIGNS

Street numbers should be of a simple design, preferably Black on White or White on Black, or Brass on White, Black or natural timber. **Maximum height of numbers 200mm and letters 150mm.**¹⁵ Display of house names will not be permitted. Architect and Contractor's boards may only be displayed during the construction period.

5.17 SCULPTURES

All sculptures visible from public areas or neighbouring properties are subject to the same approval as the building.

5.18 UNACCEPTABLE DESIGNS

The following styles are unacceptable:

Mediterranean, Swiss log cabin, stilt house, A- frame, modern spec and timber planked or framed.

6. BOARDWALKS

All boardwalks are to be approved by the Developer and SPHOA, and must comply with the following specifications:

Material: Good quality treated timber poles, beams, and planks

Width: 1200mm planks, 155mm wide x 55mm thick.

Height: The boardwalk must be between 300mm and 400mm above natural ground level.

Poles: Poles, planted with minimum disturbance to vegetation, to be 100mm to 125mm thick and placed 1000mm apart across the width and 2000mm apart along the length.

Beams: 2200mm support beams, 155mm wide x 55mm thick.

Screws, Bolts and Nails: Must be either galvanized or Stainless Steel. Galvanized roofing screws are recommended.

¹² Added at A.G.M. on 20 December 2010

¹³ Added at A.G.M. on 20 December 2010

¹⁴ Added at A.G.M. on 20 December 2010

¹⁵ Amended at A.G.M. on 20 December 2010

7. DEFINITIONS**7.1 LOCAL AUTHORITY**

Saldanha Bay Municipality or any such Authority which may replace it for any reason.

7.2 DEVELOPER

Britannia Bay Developers (Pty) Ltd.

7.3 OWNER

The Owner of a plot within the Shelley Point Development.

7.4 DOCUMENTATION

Drawings, specification, diagrams, reports, etc. submitted to the Local Authority and/or the Developer and SPHOA for approval.

7.5 APPROVED DRAWINGS

Documentation as above after their approval, as to aesthetic requirements by the Developer and SPHOA, or their Agents and the requirements of the Local Authority.

7.6 AGENT/S

Registered Architect/s that shall be appointed by the Developer and SPHOA to scrutinize and approve documentation.

7.7 BUILDING

Any development including site works or alterations to external finishes or colour as proposed, being erected or completed within the area of the Shelley Point Development.

7.8 HOME OWNERS ASSOCIATION

Association formed by the property owners of Shelley Point, known as the **SHELLEY POINT HOME OWNERS' ASSOCIATION ("SPHOA")**.

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ⁱ Date of latest amendments and/or additions to documents: 20 December 2010