

Annexure "V"/Contd.

APPENDIX 1

**PROPOSED REGULATIONS FOR THE CONSERVATION
OF BUILDINGS AND SITES IN ENVIRONMENTAL AREAS**

The following draft regulations are intended to form the basis for the preparation of a legal document which will ultimately form part of the East London Zoning Scheme. The wording may differ in the final document.

1.0 CONSERVATION ZONE

1.1 In this zone no buildings may be erected, or altered, or uses permitted, which do not comply with regulations as accepted by the Council and approved by the Administrator after reference thereof to the National Monuments Council for its comments. If such regulations are approved, they shall be added to and become part of these regulations.

1.2 The area shall be deemed to be a conservation area for the protection of the historical, architectural and aesthetic character of the area, and the Council may prescribe, as a restriction of the normal development rules, extraordinary requirements or conditions as far as it concerns:

- (a) the street elevation of buildings;
- (b) the maintenance of buildings;
- (c) the display of advertisements and the erection of advertising boards or signs;
- (d) the provision of parking facilities on sites;
- (e) the height of buildings;
- (f) coverage;
- (g) bulk factor;
- (h) building lines;
- (i) any other aspects which the Council may deem necessary in a particular case;

2.0 CONSERVATION AREA

Notwithstanding the fact that a particular use zoning attaches to an erf, group of erven or erven in a particular locality in terms of this zoning scheme, or if such a particular zoning has not been determined as yet, the Council may declare such erf, group of erven or locality as an conservation area if it should be of opinion that, for particular reasons, any form of development of that erf, group of erven in that locality should be specially controlled, irrespective of the normal development restrictions prescribed elsewhere in this scheme.

3.0 CONSERVATION AREA ADVISORY COMMITTEE

The Council shall appoint a Committee to render advice on the aesthetic, functional, architectural or historical aspects of existing buildings or proposed buildings in the conservation areas and by ordinary resolution it may prescribe rules and procedures for and members of such a Committee.

4.0 CONTROL OF BUILDING CONSTRUCTION

4.1 The purpose of these rules is to ensure that a conservation area will retain its unique character by the

- a) conservation of existing old buildings of historical or aesthetic significance;
- b) conservation where necessary of the existing building lines;
- c) control of building design and building lines in the case of new buildings or existing buildings where replacement, alteration or extension has been authorised.

4.2 Any person who lodges an application for the approval of a building in the conservation area may be required by the Council to furnish evidence, to its satisfaction, that the construction project contemplated will not be in conflict with the intent of these rules, having due regard generally to the character of the street in which the erf is situated, the type of building in the street and more specifically to the buildings in the particular locality in which the structure is to be erected.

4.3 In addition to any other requirements prescribed elsewhere in these regulations the rules shall apply to all street frontages of buildings and parts of the building which may be seen from the street.

4.4 Subject to the provisions of the Municipal Building By-Laws in force for the time being, no building construction work shall be permitted in the said area unless the external architectural design and style, colour scheme, facing material and general appearance of the building have been specifically approved by the Council, for which purpose general principles may be formulated by the Council by resolution.

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- 4.5 For the purpose of these rules the expression building construction work means the erection of new buildings, the extension or alteration of existing buildings and the alteration in any way of the external fabric of the building in either appearance or materials.
- 4.6 In the case of an existing building which is to be altered or extended, the existing building line shall be maintained as far as possible, subject to such exceptions as the Council may specially approve.
- 4.7 In the case of a new building, the Council may in each case prescribe a building line, having due regard to protection of any trees within the street boundaries, and also to the building line generally observed in the vicinity.
- 4.8 Restrictions applying to residential zones may be relaxed by the Council, if compliance with them would seriously prejudice the aims of these rules.
- 4.9 In the case of an existing building deemed by the Council worthy of conservation by reason of its historical or architectural significance no permission shall be granted for its demolition or alteration except by special resolution of the Council.
- 4.10 In the case of Council agreeing to the demolition of a building, such building may not be replaced by one higher than the original building on the site, provided that Council may grant its special consent to the erection of a taller building.
- 4.11 Any building which is to be restored or renovated shall be restored externally to its original historic state.
- 4.12 Except with the special consent of the Council:
- a) no building on any land abutting or in the immediate vicinity of a National Monument may be altered or demolished and no building may be erected on any such land if, in the Council's opinion, such alteration, demolition or erection thereon would be detrimental to the environment of such National Monument; and
 - b) notwithstanding the provisions of any by-law of the Council, no sign, as defined in the Council's by-law relating to Advertising, Bill-posting, Signs, etc. as amended from time to time shall be painted, affixed or displayed on any land or building referred to in paragraph (a) or on any land, rock, tree or other natural feature adjacent to or in the immediate vicinity of a National Monument in such a manner that, in the opinion of the Council, such sign will be detrimental to the environment of such National Monument.

5.0 **RULES FOR SIGNS**

In addition to the standard regulations relating to advertising signs as amended the following shall apply:

- 5.1 Not more than one logo per building per street frontage;
- 5.2 In respect of each business the trade or business name may appear once on each street frontage and may include description of type of goods sold (but not trade names) and such sign must be horizontal and in proportion to the frontage area of the building;
- 5.3 Where there is a canopy, the abovementioned sign should be affixed to the street edge of the canopy. Where there is no canopy, the sign must be horizontal and be placed below the parapet of the building. Where more than one business operates in a single building, the signs demarcating the business area of each business must harmonise.
- 5.4 In addition to the above sign, each business will be allowed one projecting sign either under the canopy or from the facade of the building. Where there is no canopy, projecting signs above ground level will require the special permission of the Council.
- 5.5 Projecting signs must bear an acceptable relationship to the size of the frontage of the building. The City Engineer to decide on size allowed.
- 5.6 No banner may be attached to the front of any building or the canopy of any building without the prior approval of the Council.
- 5.7 Other than posters for newspaper headlines, not more than one billboard, hoarding or slate advertising goods to be sold may be placed outside the business either at ground level or attached to the door or window-frame. Special permission for more than one may be granted.
- 5.8 Signs may be externally or internally illuminated, but no illuminated sign will be allowed that is intermittent, flashing or moving. In the case of illuminated signs, only black lettering or white lettering will be permitted on backgrounds of yellow, green, blue, black or white. Colours which tone in with the building will also be allowed.