

# DIGTEBY

---

E S T A T E

## Digteby Home Owners Association

### Policy for Submission

#### Index

	<b>Page</b>
1. Procedures to be followed	2 -5
2. Declaration by home owner and design professional.	6, 7

# DIGTEBY

---

E S T A T E

## **1. Procedure for submission of architectural plans for approval by the Trustees**

In terms of the Digteby Estate Rules all plans for houses be built on Digteby Estate are to be Scrutinized by an Architect appointed by the Trustees for aesthetic control.

Buildings must be designed in terms of the Urban Design, Architecture and Landscape Architecture Design Framework ('the Guidelines).

The Guidelines are available on the website and should be referred to by the owners and their design professional before design process begins, to ensure that they understand the requirements relating to aesthetics, building standards, sustainable development and sustainable architecture. The Guidelines are detailed and will be reviewed on a regular basis, the main purpose being:

*'to control the architectural and environmental identity of Digteby Estate in order to establish a timeless and collective architectural identity that will set a high standard for quality lifestyle and protect the homeowners investment in their property'*

### **The Guidelines clearly state that:**

*'..these Guidelines are not intended to stifle or inhibit innovative design and/or original thought but rather to serve as an instrument to guide the external appearance and positioning of buildings and structures. '*

### **To achieve this objective the Trustees have laid down the following procedures to be followed with regard to submission of plans by home owners:**

- A) The home owner must appoint an architect to draw up their plans; it is the home owner's responsibility to ensure that
  - a. the architect they appoint has a copy of the guideline and understands the requirements of the Home Owners Association . The Guidelines relate to design of the buildings and the landscaping.
  - b. The professional they appoint is fully conversant with current municipal regulations, legislation relating to appointment of engineers as well as current legislation relating to environmental control and sustainable building and that the design complies in every way.
- B) Once the plans are completed, one set of sketch plans must be submitted to the Estate Architect for approval. A complete list of documents to be submitted is attached, with a declaration to be signed by the home owner and the architect for the plans.

# DIGTEBY

---

E S T A T E

- C) A firm of architects has been appointed by the Trustees to review the sketch plans for approval, taking into account all the elements contained in the guideline, with regard to aesthetics and building standards and regulations. The Guidelines are detailed, they are intended to provide the Trustees with a basis on which to approve the plans, the following procedure must be adhered to:
- a. The home owner is expected to follow the detailed Guidelines and in the event that their architect feels it necessary to depart from the Guidelines, they are obliged to prepare a written submission setting out which aspects of the Guidelines they have not adhered to with reasons why they feel it is their clients best interest to do so, motivating how they will meet the aesthetic and design requirements, confirming that they meet all municipal and other requirements.
  - b. The Trustees will refer the motivation and plans to the Estate Architect to review, if they are satisfied that the plans will meet the objectives of the guideline, the plans will be approved by the Trustees.
  - c. In the event that the Estate Architect is of the opinion that the deviations from the Guidelines will result in a building that does not meet the overall objective of the guideline they will prepare a written report to that effect, giving reasons for their opinion. The plans will be referred back to the home owner for consideration. The home owner will be entitled to request a meeting with the Trustees and the Estate Architect to attempt to reconcile the matter.
  - d. In the event that no agreement can be reached the matter may be referred to an independent architect, appointed by the Institute of Architects, to resolve the matter, as an arbitrator. The decision of the arbitrator will be binding on all parties.
  - e. All costs arising from the process will be for the home owners account. Details of costs are set out below.
- D) Once the plans have been approved, the Home Owner must have final plans drawn and appoint a structural engineer to comply with local authority regulations.
- E) The Home Owner must appoint their architect to provide the certificates of progress, confirming that the building is being built in compliance with the approved plans, at the following stages:
- a. When the plans are submitted to the municipality, that the final plans are conform with the sketch plans submitted for approval and that were signed off by the Estate Architect.
  - b. When the pegs have been laid out, before the construction team start with the foundations, to certify that the building has been correctly positioned.
  - c. Once the foundations have been dug.
  - d. At roof height, before any work is started on the roof.

# DIGTEBY

---

E S T A T E

- F) In the event that the Home Owner does not appoint an architect to provide the relevant certificates the Trustees may appoint a land surveyor to:
- a. Confirm that the building has been correctly positioned on the erf (once the contractor has laid the lines for the foundations)
  - b. Certify the critical heights of the buildings to ensure they comply with the limitations set out in the Guidelines. These costs will be for the account of the home owner
- G) The Home Owner must commence building within 6 months of the plans being approved and must complete the building within 9 months of commencing building, unless written approval has been obtained from the Trustees, following a detailed motivation of why an extension of time is necessary.
- H) The Estate Architect will inspect the building operations on behalf of the Trustees twice during the building operation at the following intervals:
- a. Roof erection stage
  - b. On completion

The cost of inspections will be included in the fee paid by the Home Owner, any additional inspections that the Trustees deem necessary will be charged at the hourly rate charged by the Estate Architect.

The Estate Architect will ensure that they are satisfied that the building operations conform to the approved plans and alert the Trustees regarding any matters of concern. The architect will provide the Trustees with a written report after each visit.

- I) The Trustees will issue a letter of compliance to the Home Owner on completion and the local authorities will issue an occupation certificate once the building operation is completed. The building may not be occupied until the occupation certificate has been issued and a copy provided to the Trustees by the Home Owner.

## **FEES AND CHARGES**

All figures are exclusive of VAT where applicable and all payments must be made to Digteby Estate Home Owners' Association.

Plan Scrutiny for original approval R 3600.00 (exl VAT), this fee will include

- a) Review of the working drawings
- b) Review of the design architects motivation or deviation from plans.
- c) Response to the design architect, querying / discussing issues

# DIGTEBY

---

## E S T A T E

d) Report to the trustees, either recommending approval of plans or setting out reasons why the plans should not be approved.

e) Two site visits during building operations, as set out above.

**Barring unforeseen circumstances, comments will be forwarded to the design architects within fourteen days of submission. No plans will be accepted for scrutiny between 30 November and 7 January each year, to allow for completion before the annual shutdown of the building industry.**

Full scrutiny fees will be charged if the plans do not meet the requirements set out in the Guidelines and the plans have to be re-submitted for scrutiny.

Full scrutiny fees will be charged for any alterations to existing homes.

Minor changes to plans will be charged on an hourly basis, as charged by the Architect.

### **DOCUMENTS TO BE SUBMITTED**

The following must accompany the first submission of proposed building plans to the Digteby Estate Home Owners Association ("DHOA"):

- One complete set of working / sketch drawings
- Architectural declaration document, completed and signed
- Fees and charges as detailed, to accompany plans.

Barring unforeseen circumstances, comments will be forwarded to the design architects within fourteen days of submission.

Prior to submission to the local authority for final approval, five complete sets of drawings must be presented to the Home Owners Association for approval.

# DIGTEBY

E S T A T E

## DECLARATION BY ARCHITECT AND OWNER

Owners Name: .....

Contact details Tel: .....Fax.....

E-mail .....

Stand Number: .....

Design Architect .....

Contact details: Tel: .....Fax.....

E-mail: .....

I / We ....., in my capacity as the design architect on the above project declare that:

a) The plans submitted for the above mentioned stand conform to all municipal regulations and all relevant, current legislation with regard to building regulations, sustainable building and environmental standards.

b) That the plans submitted conform to the Digteby Architectural Guidelines in every respect or

c) The plans submitted do not conform to the Digteby Architectural Guidelines in the following respects:

a. ....

b. ....

c. ....

d. ....

e. ....

f. ....

g. ....

h. ....

d) In the event that c) applies and there are deviations from the Guidelines, we confirm that, in our professional opinion, the building designed conforms to the aesthetics of the Estate, and that they fulfil the purpose of the Guidelines, which is :

*'to control the architectural and environmental identity of Digteby Estate in order to establish a timeless and collective architectural identity that will set high standard for quality lifestyle and protect the homeowners investment in their property'*

# DIGTEBY

---

E S T A T E

e) We confirm that we have been appointed to provide oversight during the construction phase and that we have been contracted to:

a. provide the Trustees with written certificates contemplated in paragraph E

of the procedures set out above.

Signed at \_\_\_\_\_ on \_\_\_\_\_

Architect / On behalf of Owner