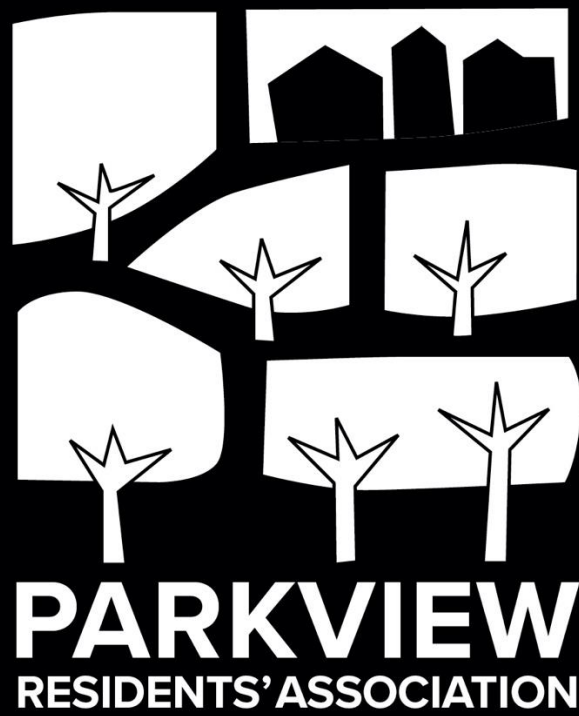


2024



Working with Your Neighbours

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The PRA regularly receives queries from residents of Parkview and Greenside East who are unhappy with renovations and extensions to neighbouring properties.

The reasons for their concerns are generally around infringements on their privacy and the more general impact of extensions to neighbours' houses on their own homes and gardens, including on the value of their property. Some residents have also expressed their worries about the style of new architecture being inconsistent with the existing established garden suburb for which Parkview and Greenside East are rightly known.

For the most part, these concerns are around renovations and extensions that involve the construction of a second storey on an existing house or outbuilding. In many cases, the concerned resident has, in fact, been asked to sign a set of plans by the neighbour proposing the alterations and additions and has sometimes felt pressurised into doing so. Later, once consent has been given and only when building has commenced, do residents realise the full extent of the changes their neighbours are making.

Whilst the PRA website already has building guidelines for anyone planning renovations and extensions, it may be useful to outline some advice and remedies for affected neighbours.

A homeowner wanting to change any built structure on their property cannot do this without the permission of the Joburg City Council. Where a structure is more than 60 years old, the owner must also get the prior approval of the Provincial Heritage Resources Agency - Gauteng (PHRA-G). If they do not get these approvals and the Council or PHRA-G is informed, a stop order on their project will be issued. This involves the unnecessary incurring of costs and inconvenience and often causes friction between neighbours.

So, what should you do if you hear that your neighbour proposes to add on to their property?

- In the first place, get involved with them very early on and talk about both of your interests and concerns, even before plans are drawn, if that's possible.
- The City of Johannesburg Land Use Scheme, 2018 and the Municipal Planning Bylaws require the signature of neighbours on proposed plans where building lines are reduced. Although plans examiners may consider the effects of a new building overlooking another as well as issues of privacy, there are no firm regulations.
- The National Building Regulations and Building Standards Act makes reference to a planned building being "of such nature or appearance that it will probably or in fact derogate from the value of adjoining properties." However, it is possible that the Council will consider the impact of a building only on the overall value of property in an area, rather than on the immediate neighbouring properties.
- If you are shown plans and asked to sign, consult with an architect and don't be harassed into signing. Check for overlooking windows and balconies and sources of noise. If you find them, try and negotiate changes. Both parties may need to compromise so be aware that you may not be able, or entitled, to get exactly what you want. This neighbourly negotiation is particularly important in light of the lack of firm regulations referred to above.
- All properties have title deeds. In some cases, these impose restrictions on building rights on a property. Ask your neighbour about these. If you have any doubt, take advice from a town planner or property lawyer. The PRA will help in giving you direction if you need it.

- If no consensus is reached and you still have serious concerns, request the owner to submit the plans to the JPC who can be contacted through the PRA or alternatively write your objections on the plans.
- The PRA is part of the Joint Plans Committee for Westcliff, Parktown, Forest Town, Dunkeld and Parkview, which seeks to conserve heritage architecture in these areas by advising residents and working with planning and heritage agencies. They also participate in applications for densification and non-residential development in the suburbs.
- If the structure being altered is over 60 years old, confirm that an application is to be submitted to the JPC and then PHRA-G. All applications to PHRA-G for Parkview and Greenside East are sent to the PRA for comment and are subsequently tabled at the next JPC meeting. If residents submit their applications first to the JPC, a lot of time is saved for all parties. If you have any worries about a neighbour's plans with regard to heritage conservation, talk to the PRA.
- If you believe that building is being carried out without permission or inconsistently with approved plans or title deeds, contact: the building inspector for this area, Faried Watson at fariedw@joburg.org.za or on 083 450 2814 during office hours; or if your concern is about the treatment of heritage structures, Noluthando Cembi at noluthando.cembi@gauteng.gov.za or on 011 3552806; or The Parkview Residents' Association at info@parkview.org.za.

Finally, if you are planning to build yourself, please consider your neighbours. A good starting point is to think about how you would want to be treated by them if roles were reversed. Please follow the advice and steps outlined above which can save you a lot of time and money.

If you have any queries or concerns, please do not hesitate to contact the PRA.