

**DRAFT**

**A REPORT  
ADDRESSED TO  
THE CITY OF CAPE TOWN  
MOTIVATING THE ESTABLISHMENT OF  
AN OVERLAY ZONE  
TO BE KNOWN AS  
THE  
NEWLANDS VILLAGE LOCAL AREA  
OVERLAY ZONE**

**by  
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**10 February 2014**

## **Executive Summary**

This short report motivating 'special area' controls for the Newlands Village has been commissioned by the Newlands Residents' Association(NRA) which has long agitated for an appropriately framed policy and legal framework for the regulation and protection of the character and amenity of the area known as Newlands Village.

The history of the suburb and the establishment of its built form is very briefly outlined in order to give a background to the current regulations and to explain the advantages of or even necessity for a local area overlay zone (known in the old Zoning Scheme as a 'special area').

The current provisions are outlined and the details of the proposed more tightly described set of regulations is explained and motivated.

Ultimately, it is recommended that the City Council follow the procedures necessary for the formal adoption and gazetting of the proposed Newlands Village Local Area Overlay Zone and its inclusion in the new Cape Town Zoning Scheme.

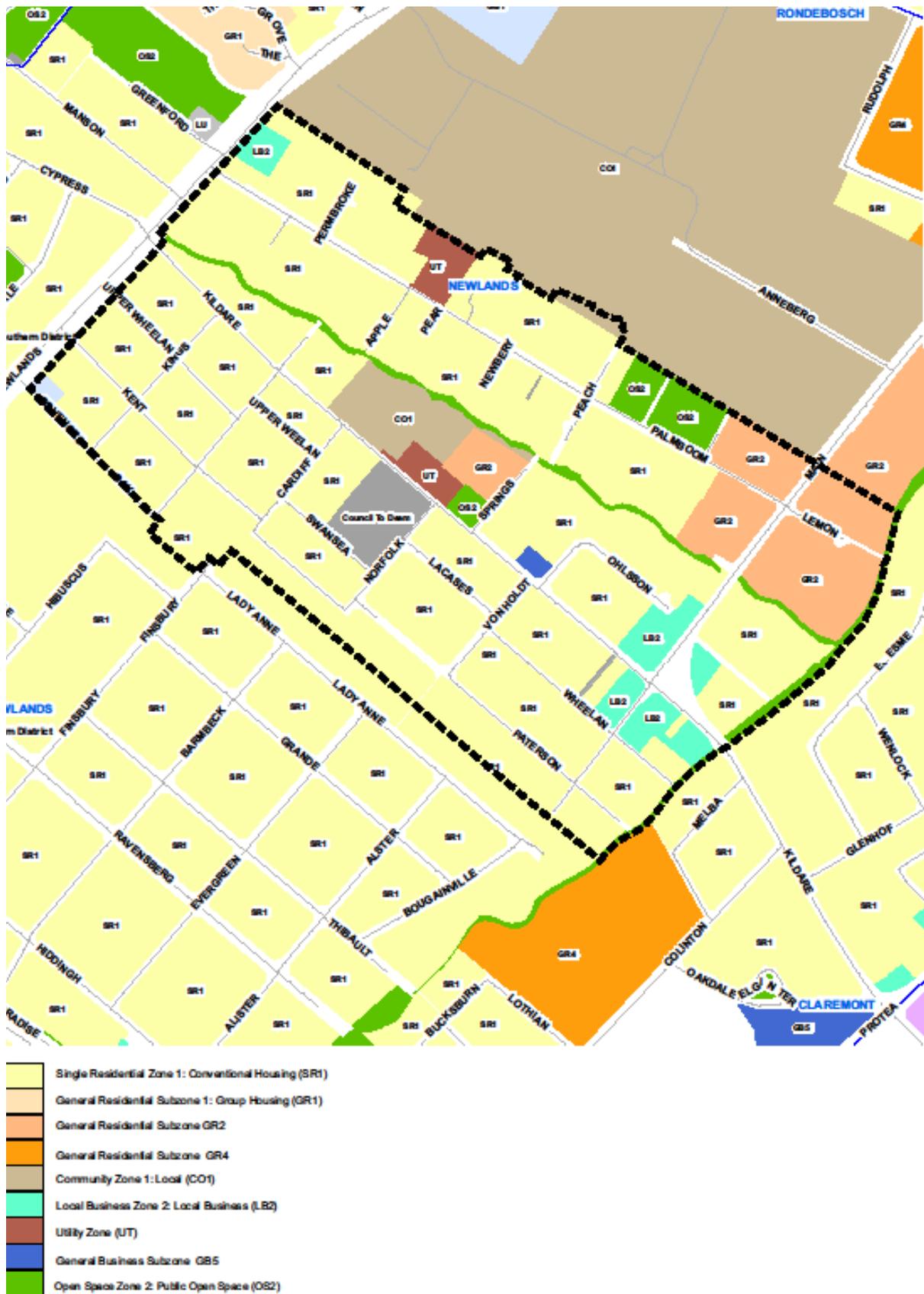


Illustration 1: The Zoning Map showing the boundaries of the proposed Newlands Village Local Area Overlay Zone

## 1 Introduction

The legal and policy framework regulating land use and development in the area known as Newlands Village has long been recognized to be inadequate in protecting the special charm and character of the village; and the NRA has long wished for a review of both law and policy. Simply put, the provisions of the Zoning Scheme are inconsistent with the built-form of the majority of the properties in the village, the smaller ones in particular; and, making matters worse, their redevelopment has been inconsistently administered. This criticism of the administration of the law applies to both the old Cape Town Zoning Scheme which was in place until 1 March 2013, the new consolidated Zoning Scheme now in place and to the administration of the provisions of the National Heritage Resource Act (previously the National Monuments Act).

As a consequence of this criticism, studies, first by Todeschini and Japha in 1994<sup>1</sup> and then by Baumann and Crewe-Brown in 2008,<sup>2</sup> were commissioned by the City Council. Both of these studies recommended special controls of the Village; but no action was taken, most recently, because the many disparate zoning schemes in the metro-area were being consolidated into one new so-called integrated zoning scheme and it was resolved that work on new special area-controls would not be initiated during that process.

Accordingly, given that the new consolidated Zoning Scheme came into effect recently on 1 March 2013, the NRA have appointed me to draw up and motivate a draft regulation containing the necessary new land-use restrictions of what is referred to in the new Zoning Scheme as a “local area overlay zone” (corresponding to a “special area” like the Harfield Residents’ Village Special Area of the old Zoning Scheme) rather than as a “heritage protection overlay zone” (corresponding to an “urban conservation area” like the Upper Table Valley Urban Conservation Area of the old Zoning Scheme).

This proposal has been canvassed with the two ward councillors, Councillor Brunette and Alderman Iversen, and with certain of the pertinent planning and heritage officials who have endorsed the proposal in principle. I note also that the NRA has played an active role in exploring and determining the restrictions proposed here; and I made a brief presentation on this proposal to their AGM in February 2013. I note too that the NRA intends to canvass the views of their members as best they can before they submit the proposal to the City Council; and I presume that they will do this by circulating this report to their membership and requesting comment.

## 2 Historical Background, Topography and Character of Newlands Village

Newlands Avenue is one of the earliest colonial roads, presumably following a pre-colonial route, which forked off the route between Table Bay and False Bay at Rondebosch towards the Newlands forests and traversed the lower slopes of the

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<sup>1</sup> Todeschini and Japha, 1994, *Newlands, Claremont, Kenilworth, Wynberg: Conservation Study*, unpublished study commissioned by the Town Planning Branch, City Planner’s Department, City of Cape Town.

<sup>2</sup> Baumann, Nicolas and Tamara Crewe-Brown, 2008, *Newlands Village Conservation Area Study*, unpublished report commissioned by the City of Cape Town.

mountain range and on to Constantia Neck and Hout Bay.<sup>3</sup> These lower east-facing slopes, relatively protected from the prevailing summer south-easter winds, with several mountain streams and rich fertile alluvial land encouraged early settlement and agricultural use and, given the quality and abundance of water, in the eighteenth century, brewing. Later, in the nineteenth century, Newlands was increasingly developed with villas and, from the middle of the century, with semi-detached- and row-houses;<sup>4</sup> and in the early twentieth century the Village was gradually increasingly subdivided and densified.

The part of Newlands that we are concerned with here, known informally as the Newlands Village, was bounded fairly 'organically' in the nineteenth century by Newlands Avenue and its grander established villas in the west and, falling gently to its eastern boundary, the Liesbeeck River, by the Mount Pleasant Stream and Montebello and two breweries (now SACS) in the north, and by Newlands House and large undivided land holdings in the south. This area was divided into two by the Papenboom Stream, effectively establishing two rather different 'villages': the northern 'village', between the Mount Pleasant and Papenboom Streams, which has many culs-de-sac off Palmboom Road running to these two streams and, in general, has larger properties than those in the southern 'village' known in the late nineteenth and early twentieth century as 'Irish Town' which is reliant on Kildare Road and is rather more dense. These two 'villages' were and still are connected only by Main Street and, of course, by Newlands Avenue.

The permitted land uses of the zoning scheme, reflecting the organically or historically established land uses, are very largely single dwelling residential with a few general residential properties (these are developed with group housing rather than apartment buildings) and a business 'node' at the intersection of Kildare and Main Street.

The implementation of the Group Areas Act in the 1960s and 70s forced the largely coloured<sup>5</sup> property owners and residents out of the, by then, largely coloured and densely subdivided Irish Town; and enabled a gentrification process in the 1970s and 80s which in very large part stripped the townscape of both its natural community and much of its historical architectural character.

Although there is a mixture of large villas, smaller more conventional suburban villas, semi-detached and row-houses in both sides of the greater Newlands Village, the two parts are very different; and the southern "Kildare village" has a very much larger number of small erven and the northern "Palmboom village" has a very much larger number of large erven: in the Kildare Village side, with 379 residential properties, 40% of the properties are less than 350sqm in extent and only 1% are larger than 1000sqm; and in the Palmboom Village side, with 172 residential properties, there are only 15% which are less than 350sqm in extent and 17% more than 1000sqm.

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<sup>3</sup> This very brief account relies on Baumann and Crewe-Brown, op.cit. and on Melanie Attwell's earlier 2007 *Newlands Village: Spatial/Historical Background* study.

<sup>4</sup> The two main reasons for this are, most likely, the necessity for workers' housing as the breweries developed and, after 1838, when slavery ended. See Attwell, op.cit. p5.

<sup>5</sup> I apologise for the use of apartheid-speak terminology here; but apartheid did affect the built form and character of the city generally and of this area in particular.

The present Newlands Village, divided into these two rather different parts, is the consequence of these topographical and environmental circumstances and of this history. Indeed, the depth of this history has resulted in the particularly rich range of house-types and the particular charm and attraction of the historic townscape and its richly vegetated environs; but the events of the 1960s and 70s and the subsequent gentrification (and the new owners' relative wealth and impulse to improve their properties) led to the loss of "historical detail" referred to by Todeschini and Japha in their 1994 conservation study.

But, notwithstanding this considerable 'erosion' of historical detail and character, the Village is still a remarkably pretty and charming environment; and there have been many who have, for decades, bemoaned the gradual and still continuing loss of character and of amenity.

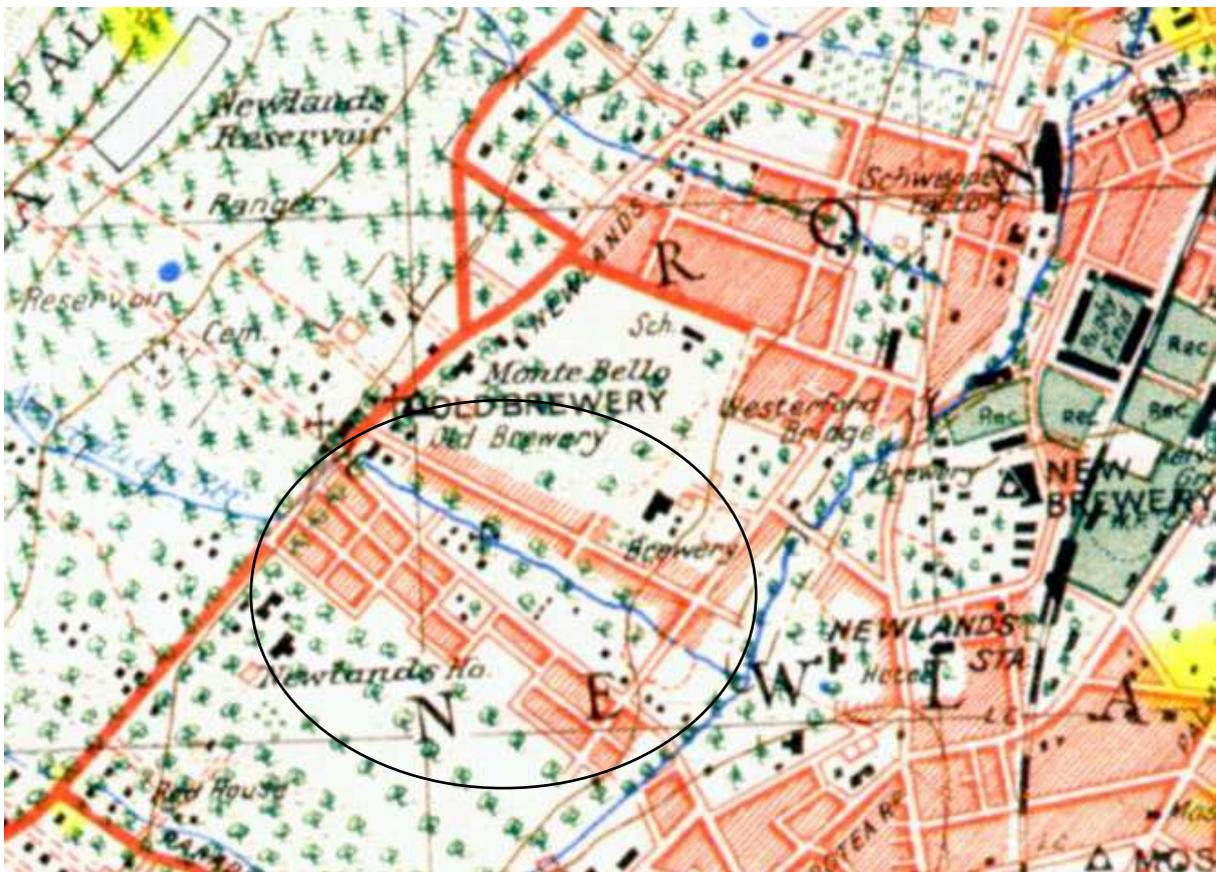


Illustration 2: The Newlands Village stretching between Newlands Avenue and the Liesbeeck River divided by the Papenboom Stream  
(1937 Map of the Cape Peninsula, Surveys & Mapping, Rosebank).

That said, it is perhaps necessary to articulate three essential characteristics which establish or determine the townscape of the Village and its character and which the regulatory regime must take into account if it intends to protect and enable this special character. These are:

- the limited range of typical erf sizes, their relationships to each other and the way in which the buildings occupy those erven;

- the limited range of building ‘envelopes’ established by the particular building types, their heights and their roof shapes; and
- the amount of space for gardening and planting on both privately owned and the public realm.

### 3 The Restrictions Regulating Built Form

The old building by-laws, first of the Municipality of Claremont and, after 1913, those of the City of Cape Town, regulated the built form, if in a relatively permissive manner, until the approval of the zoning scheme in the early 1960s. The zoning scheme, although not intending to control the *character* of this very varied built form, by limiting the proximity of dwellings to boundaries had the unintended effect of dissuading the owners of extant houses from altering or adding to the envelopes of their dwellings in many circumstances.

However, as I have said earlier, this did not protect the architectural character of the buildings and the gentrification and redevelopment that has taken place over the past forty or so years has eroded the architectural character of many of the older buildings in the area. And during this time many have appealed to the City Council and to the heritage authorities to prevent this continual loss of character and significance.

As a consequence, a conservation study of the greater area of Newlands, Claremont, Kenilworth and Wynberg commissioned by the town planning branch and carried out in 1994 by Todeschini and Japha, Architects and Town Planners,<sup>6</sup> identified buildings of historic interest and significance and delineated the boundaries of a proposed Newlands Village *special area* in which the character of the townscape was to be protected (more about this in a moment). However, this proposal was not ever acted on.

More recently, a conservation study specifically of Newlands Village commissioned by the environment and heritage branch and carried out in 2008 by Baumann and Crewe-Brown<sup>7</sup> suggested slightly different boundaries, identified significant buildings<sup>8</sup> and landmarks, and proposed that the area be designated an *urban conservation area* rather than as a special area as proposed by Todeschini and Japha. I should explain, using Todeschini and Japha’s words, that special areas are “areas which have retained their historic character only in the sense of the texture and scale of development” and urban conservation areas are “areas which have retained their historic character in the sense of the historic detail of the buildings within them”.<sup>9</sup>

The Baumann report and its recommendations were debated between the NRA and the officials during 2008 and 2009 and it was submitted to the PEPCo of the City

<sup>6</sup> Todeschini and Japha, op.cit.

<sup>7</sup> Baumann and Crewe-Brown, op.cit.

<sup>8</sup> It is important to note that these significances are derived from criteria in the National Heritage Resources Act of 1999 and are rather different from those adopted in conservation studies before 1999 and, therefore, from those adopted in the 1994 Todeschini and Japha study.

<sup>9</sup> Todeschini and Japha, op.cit. p2.

Council in early 2009<sup>10</sup> when it was resolved that the proposal to establish a conservation area be taken up in the then current process of drafting a new consolidated Zoning Scheme for the city as a whole. However, it was later decided that no new area-controls would be considered until after the new consolidated Zoning Scheme had been promulgated and was in effect. It does appear, however, that the differences between 'special area-' and 'urban conservation area'-controls were not referred to (or, perhaps, not understood by at least some of the parties): the essential difference is that in 'special areas' (like the Harfield Village special area) the different restrictions (from those ordinarily pertaining) are simply stated and are different in quantity (the distances, heights, etc are different); while in 'urban conservation areas' a qualitative or 'aesthetic' restriction is imposed (for example, new development must be 'in keeping' with the character or significance of the area).

Given the view of most parties that the "historic character in the sense of the historic detail of the buildings" has been, for the most part, lost, it was determined in my recent discussions with the members of the NRA's project team that, consistent with Todeschini and Japha's view, 'special area'-controls were preferable to the 'urban conservation area'-controls proposed by Baumann and Crewe-Brown. This is consistent with my own view and I have advised against imposing the further-reaching and often arbitrary aesthetic 'urban conservation area'-controls in the Village.

It is important to note, however, that the Baumann and Crewe-Brown study does include a comprehensive list of 230 buildings which they (Baumann and Crewe-Brown) recommend 'significance-gradings' in accordance with the criteria of the National Heritage Resources Act.<sup>11</sup> Of these 230 buildings which they regard as potential heritage resources, only 54 are graded II, IIIA and IIIB which, following the heritage authority, Heritage Western Cape's practices, would be significant enough to be protected *as heritage* (the other 176 buildings are recognised as contributing to the character of the environs but are not significant enough to be protected *as heritage*). These 54 buildings are deemed not to have lost their historic character or detail. So, in addition to the controls of the Zoning Regulations, any alteration, extension, addition or new building on these properties would also be subject to the 'aesthetic' heritage-related scrutiny, assessment and approval by the heritage resources authority.<sup>12</sup>

#### **4 The New Consolidated Zoning Scheme and Newlands Village**

In 1997 the thirty-six local authorities now comprising the metropolitan City of Cape Town were consolidated first into seven authorities and then, in 2001, finally into one municipal area. This new authority had twenty-seven different zoning schemes (all of the old "Divisional Council" areas had the same regulations) which, for reasons of efficiency and consistency, needed to be converted into one set of regulations. This

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<sup>10</sup> See the minutes of the meeting of the Planning and Environment Portfolio Committee of 1/4/2009.

<sup>11</sup> Baumann and Crewe-Brown, op.cit. pp28-37; see the Newlands Village Heritage Survey which is appended to the study.

<sup>12</sup> I should note that at present the responsible heritage authority for all of these heritage resources and, indeed, all buildings more than sixty years old is Heritage Western Cape (HWC). However, HWC will in due course delegate these responsibilities and powers to the City Council.

was first called the “integrated zoning scheme” but is now known as the **City of Cape Town Zoning Scheme**. This process, which commenced in about 2003, was intended to be a straight-forward exercise amending most schemes in minor ways but without radically changing the basic development rights attached to all properties.

Be that as it may, the new Zoning Scheme (CTZS) was promulgated on 26 November 2012 and came into effect on 1 March 2013.<sup>13</sup>

The Zoning Map of the Village is shown in Illustration 1; and it is clear, as I have said, that most of the properties are zoned for single residential use only. I have also pointed out that in the Kildare Village side, with 379 residential properties, 40% of the properties are less than 350sqm in extent and only 1% are larger than 1000sqm; and in the Palmboom Village side, with 172 residential properties, there are only 15% which are less than 350sqm in extent and 17% more than 1000sqm and that this difference in property size has a distinct impact on the character of the two sides of the greater Village.

Both the old and the new Zoning Regulations recognise that property- or erf-sizes have a natural or even automatic effect on the dimensions (and character) of development on individual properties and, therefore, on the character on the environs. This principle is rational and sensible even if, given the wide range of characters pertaining to the entire metropolitan area in which these regulations pertain, not capable of encouraging the appropriate character in areas with similar average /typical erf-sizes but differing townscape characters. However, given this principle, it appears that the existing Zoning Regulations can be relatively easily adapted to encourage development that is consistent with the character of these particular environs and that these adaptations need only mimic the dimensions of existing development on the various typical property- or erf-sizes in this local area, the greater Newlands Village, to enable (and encourage) the repetition of those existing development forms into the future.

It is also true that there are certain characteristics of the greater Newlands Village area that are either not regulated at all by the Zoning Regulations or which are not appropriated, dimensioned or detailed but which are necessary to protect those characteristics in this local area.

The new or additional restrictions and the amendments to the already existing regulations which are proposed here are designed to fit easily into the existing regulations endeavouring to limit complexity in assessment and administration in order to obviate mistakes and misunderstanding.

## **5 The Proposed New Restrictions Comprising the Local Area Overlay Zone Restrictions:**

Given the existing typical erf-sizes, the typical building types and forms and their dimensions in the greater Newlands Village, the currently permitted dimensions of

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<sup>13</sup> *Western Cape Government Gazette Extraordinary* 7058, 26 November 2012.

dwelling houses that are potentially problematic and which, therefore, need to be amended are the following:

### **Height:**

The new Zoning Regulations limit the heights of dwelling houses on all erven less than 650sqm in extent to 8m from the base level to wallplate<sup>14</sup> and another 2m to the top of the roof. The permitted heights on erven larger than 650sqm are 9m plus another 2m.

*Comment: The heights of new development since the 1970s have frequently been the most criticised factor in Newlands Village and it is clear that most attentive parties think that new development should be restricted to two storeys in future.*

*Accordingly, it is proposed that the heights of all new buildings in the Village be restricted to 6m from base level to wallplate and another 2m to the top of the roof.*

### **'Building Envelopes' and Roof Shapes:**

In the Newlands Village it is the building shapes or silhouettes, determined in very large part by their heights (already discussed) and their roofs, that are (with the green-ness of trees, hedges and gardens) the primary determinants of the building types and, in turn, of the townscape character. Baumann and Crewe-Brown identify only four house-types: cottages, terraced houses, semi-detached houses (all mostly single-storeyed) and villas and all of these have pitched roofs.<sup>15</sup> Although Baumann and Crewe-Brown do not say so explicitly, it appears that these house-types are the older houses more than sixty years old. It is also readily apparent that many of the newer houses are double-storeyed and many have flat roofs behind parapets which face the street or entrances to the properties they occupy.<sup>16</sup> At present, there are no restrictions or regulation of roof material, shape or type which pertain.

*Comment: Given the predominance of these roof types and their signal influence on the townscape character, it is imperative to ensure that all future roofs mimic one of the two dominant models, that is, that they be either double-pitched with slopes of 20 to 35° (and, ideally, hipped on villas) or that they be flat (less than 8°) behind parapets which must face the street.*

### **Position of Buildings Relative to One Another:**

The building envelopes (just discussed) and relationships between or the positions of buildings in relation to each other are the two primary built-form factors establishing the character of the townscape. And, having just discussed the important factors of heights and roof shapes, we now need to ensure that new buildings can be

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<sup>14</sup> "Base Level" and "wallplate" are new definitions in the new Zoning Regulations. I presume that anyone needing explanations will refer to the regulations (see Definitions).

<sup>15</sup> Baumann and Crewe-Brown, pp15-18.

<sup>16</sup> I suspect that the parapetted flat-roofed houses are, for the most part, houses built or much altered in the 1970s and 80s during the gentrification following the "group areas" forced removals and the new owners sought, they thought, to return these old dwellings to an earlier built-form with parapets and flat roofs predating the importing of corrugated iron sheeting (from the 1870s) and its use in lower cost houses from the 1890s.

positioned on each erf or property in the same way that the existing positively contributing buildings<sup>17</sup> are positioned, that is, in the case of erven smaller than 650sqm, close to the street boundary and hard up against the common boundaries at the front part of each erf; and, in the case of erven larger than 650sqm, at least enough distance from all boundaries to enable and encourage suburban villas set in gardens.

*Comment: Given that the Village is made up of, essentially, two building patterns (one, of cottages and attached houses built hard up to boundaries on smaller erven; and, two, of suburban villas on larger erven set in gardens), the set-back requirements should echo the existing set-backs of the 'contributing' houses. The new Zoning Regulations do already enable and encourage these patterns and, so, it seems that only slight amendments to the existing restrictions are required in this respect.*

### **“Green” Character of Newlands Village:**

I have pointed out earlier that Newlands Village was established because of the rich alluvial soils, the abundance (and quality) of water and the mildness of the east-facing micro-climate. This, and the length of time this area has been settled, has enabled/resulted in a very richly treed and gardened environment, both public and private. This has long been recognised; but an appropriate regulatory device(s) to ensure that trees, hedges, gardens are protected and enabled/encouraged is difficult to articulate and achieve.

*Comment: It is generally accepted law can prevent people doing things but that it is difficult to require that they do things that the state would like them to do. This applies very much to 'positive' actions like gardening or growing trees and hedges although actions like felling trees can be prevented. Given this, in order to protect and encourage the 'green character of the Village, we propose, first, that the felling of mature trees and hedges not be permitted except with the special approval of the Council (which is possible, but must be motivated and can be refused);<sup>18</sup> and, second, we argue that, if the coverage on the larger erven is regulated and kept to a minimum, property owners will be encouraged to garden and plant trees and hedges.*

### **Aesthetic Control over 'Character':**

I have earlier pointed out that there has long been ambivalence over the question as to whether these environs should be subject to aesthetic judgements regarding the appearance of new development (as in 'heritage protection areas' as proposed by Baumann and Crewe-Brown) or whether the dimensions and 'envelopes' only of new buildings (as in 'special areas' like Harfield Village as proposed by Todeschini and Japha) should be regulated.

*Comment: My own view and that of the NRA is in concert with that of Todeschini and Japha and is that the historical or traditional architectural*

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<sup>17</sup> In referring to “positively contributing buildings”, I mean those buildings which contribute in a positive way to the townscape helping to create those characteristics which we seek to protect and encourage rather than to those existing buildings which damage or are injurious to that character.

<sup>18</sup> It bears mentioning that this measure applies in heritage protection overlay zones and in local area overlay zones like Harfield Village.

*decoration of most of the buildings has been stripped away and that the character worth protecting lies very largely in the dimensions, scale and 'envelope' or shape of the buildings, old and new. It is also recognised that the relatively few buildings which have not lost their richer historical character will be protected and regulated via the heritage legislation.*

*Accordingly, the proposed new Local Area Overlay restrictions do not include any qualitative judgements other than those pertaining to mature trees and hedges as discussed above.*

Given this articulation of the primary issues and given the arguments put forward, we propose a number of additional and/or amended restrictions be included in the suggested Newlands Village Local Area Overlay Zone. The table below compares and gives the relationships between the old Zoning Scheme, the new Zoning Scheme and the proposed new Newlands Village Local Area Overlay Zone restrictions.

	<b>Old Zoning Scheme Restrictions</b>	<b>New CT Zoning Scheme Restrictions</b>	<b>Proposed New Newlands Village Local Area Overlay Restrictions</b>
		>200 200-350 350-650 650-1000 <1000	>200 200-350 350-650 650-1000 <1000
Height:	3 storeys 3x4,8m + mezzanines and basements	8m to wallplate 10m to top of roof	9m to wpl. 11m to top  (as in the Harfield Village Local Area Overlay Zone)
Set-backs: Street: Side/rear:	4,5m  Width: GF: FF: 0-16m 1 1-2½ 16-24m ¼w-3 >24m 3m 3-6	1m 3,5m 3,5m 3,5m 4,5m  0m for 12m frm street 3m 3m 3m beyond 12m	1m → 3,5m→  0m for 12m from street 3m 3m 3m beyond 12m
Coverage:	>300sqm 85% 300-400 75% 400-750 65% <750 50%	none	85% → 65% 50%→
Roofs:	none	none	>20° and pitched or <8° + parapet towards street
Garage/car port Set- backs:	1½m	1½m	1½m + similar restrictions to those in Harfield Village
Fences/ walls:	none	none	similar restrictions to those in Harfield Village
Trees:	none	none	No felling or lopping without consent (as in Harfield Village)

I note that all of these restrictions are simple straight-forward restrictions of distance, height or size or use as defined elsewhere in the Zoning Scheme and are ordinarily pertinent to dwelling houses and their associated outbuildings. They are also restrictions that can more reasonably be expected to be adhered to and do not require negotiation.

The wording of the proposed Newlands Village Local Area Overlay Zone is attached as an annexure.

## **6 Recommendations**

Given the above, I recommend that the City Council confirm that this proposal satisfies the requirements for Local Area Overlay Zones; and that the proposal is consistent with the desired character and amenity of Newlands Village and will encourage and foster that character in the future.

I further recommend that the City Council instructs the relevant officials to follow the procedures necessary for the formal adoption and gazetting of this proposed Newlands Village Local Area Overlay Zone.

**Dr Stephen Townsend**

**ANNEXURE  
NEWLANDS VILLAGE LOCAL AREA (LAO/x)**

- (a) The area depicted on Plan LAO/x is subject to the provisions in this section.
- (b) The maximum height of a building measured from base level to the wallplate shall be 6m and to the top of the roof shall be 8m.
- (c) All new roofs shall be double-pitched with slopes of 20-35° or less than 8° with parapets facing the street boundaries.
- (d)(i) On land units less than 350m<sup>2</sup> in extent, the minimum setback from the street boundary shall be 1m;
  - (ii) On land units greater than 350m<sup>2</sup> in extent, the minimum setback from the street boundary shall be 3,5m;
  - (iii) On land units less than 350m<sup>2</sup> in extent, the minimum setback from common boundaries shall be 0m for a distance of 12m from the street boundary and 3m beyond 12m from the street boundary;
  - (iv) On land units greater than 350m<sup>2</sup> in extent, the minimum setback from common boundaries shall be 3m;
- (e)(i) On land units less than 350m<sup>2</sup> in extent, the coverage provisions in the zoning scheme shall apply;
  - (ii) On land units greater than 350m<sup>2</sup> and less than 650m<sup>2</sup> in extent, the coverage shall be 65%;
  - (iii) On land units greater than 650m<sup>2</sup> in extent, the coverage shall be 50%.
- (f) Any proposed parking areas, carports and garaging and the access thereto shall be shown on building plans and the Council shall have the right to approve or refuse such plans if they do not conform with the following restrictions:
  - (i) not be located forward of the front façade of the main dwelling;
  - (ii) be subsidiary to the main dwelling with frontages not exceeding 3m in width;
  - (iii) have a height not exceeding 3,3m or the eaves line of the main dwelling, whichever is the lowest;
  - (iv) double garage doors shall not be permitted.
- (g) Any proposed street boundary wall or fence shall be shown on building plans and the Council shall have the right to approve or refuse such plans if they do not conform with the following restrictions:
  - (i) visually impermeable street boundary walls and fences shall not exceed 1,5m in height;
  - (ii) masonry and other piers/posts and visually permeable slats, railings and fences and similar structures shall not exceed 2,1m in height;
  - (iii) the height of such street boundary walls and fences shall be measured from the level of the footway, ground or street immediately adjacent to such wall or fence.
- (h) No person shall fell, uproot or cause to destroy a mature tree or hedge without the prior approval of the Council.