

My neighbour has built a lapa right next to our boundary wall: Is this legal?

Monday, 30 June 2014

My neighbour has built a lapa right next to the boundary wall between us. I just need to find out if this is allowed and what do the building regulations state.

Les replies as follows:

Thank you for your enquiry. Firstly, any building work which is built over the building line setback, even an open braai, needs to have a council approved plan which has also been approved in writing by the affected neighbour. A structure with a roof most certainly requires your approval if it has been built closer than 2m from your boundary (1m if the plot is smaller than 400sqm). Your recourse would be to visit your local municipality building survey office with the address and erf number of your neighbour's property and enquire whether there is an approved plan for what he has done.

If there is one then the question would need to be asked as to how it was approved without your permission and if there is no plan, then you would need to lodge your objection in writing as the structure would be illegal.