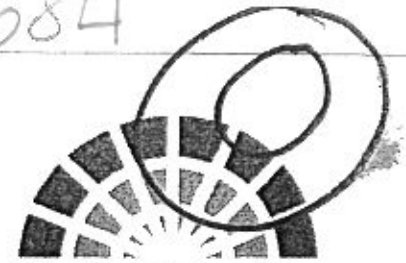


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Erfenis Wes-Kaap

Heritage Western Cape

"FAZI"

Our ref: HM/CAPE TOWN METROPOLITAN/CBD/ ERVEN 144698 AND 8210
Enquiries: Colette Scheermeyer
E-mail: Colette.Scheermeyer@westerncape.gov.za
Tel: 021 483 9682
Date: 11 May 2016

Mr. J. Rodrigues
Vantage Property (Pty) Ltd
Founders Hill Office Park
18 Centenary Road
Modderfontein

Copy: Paul Heydenrych (City of Cape Town)

Dear Mr. Rodrigues,

ERVEN 144698 AND 8210 CAPE TOWN: COMMENT ON APPLICATION I.T.O. THE COCT MUNICIPAL PLANNING BY-LAW FOR CONSOLIDATION AND COUNCIL'S CONSENT FOR DEVELOPMENT IN THE CENTRAL CITY HERITAGE PROTECTION OVERLAY ZONE

Heritage Western Cape (HWC) is in receipt of a request for comment by Vantage Property (Pty) Ltd, dated 6 April 2016.

The proposed development involves a new mixed-use development between Riebeeck Square and the Bo-Kaap.

It is noted that the development site, which involves two erven and does not exceed 5 000m² in extent, does not trigger listed activities in terms of Section 38(1) of the National Heritage Resources Act (NHRA, No 25 of 1999) and, whilst it abuts two proclaimed Provincial Heritage Sites, it does not require a permit i.t.o. Section 27(18) of the NHRA. HWC is therefore a commenting body and not an approving authority.

It should however also be noted that in terms of Section 27(16) of the NHRA, a provincial heritage authority is responsible for the protection of Provincial Heritage Sites. This does not only involve the permitting of development on Provincial Heritage Sites, but also monitoring and commenting on development that may directly impact on the significance of Provincial Heritage Sites.

In this case, the subject site is located between two Provincial Heritage Sites, being Riebeeck Square and the Bo-Kaap, proclaimed in 1961 and 1966 respectively. The latter has also been identified by the South African Heritage Resources Agency to be of Grade I (national) significance.

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Erfenis Wes-Kaap
Heritage Western Cape

We have been furnished with the applicants' Urban Design Report of October 2015 and a Heritage Statement of April 2016.

The Urban Design Report refers to a number of City policies that support densification, but fails to emphasise that these policies, including the Cape Town SDF, only support contextually appropriate densification. The CoCT Densification Policy specifically states: *"Higher-density forms of development need to be carefully evaluated in order to ensure that proposals fit in with the surrounding environment. The form and design of the development must be compatible with the areas built / natural character. If it is not possible to accommodate a compatible built form without negatively altering the existing built context, or compromising the surrounding built environment, the development should not be supported"* (Section 5.3, Table 6).

We note the following three design principles listed in the Heritage Statement, which have been proposed in an attempt to reduce impacts on townscape and streetscape:

- The 'stepped massing' from a height of 60m on Buitengracht Street towards a lower massing on the Rose Street edge;
- The incorporation of horizontal and vertical articulation and datum lines, and
- The proposed height 'counter-balancing' the mass of the City-Park building diagonally across Riebeeck Square.

With regard to (a), the proposed cascading of the 18-storey building down to a height of approximately five storeys on Rose Street attempts to make a gradual transition between the very tall façade on Buitengracht and the Bo-Kaap. The stepping effect alone is however inadequate to mitigate the substantial heritage impacts on the Bo-Kaap, which is a fine-grained, predominantly one- and two storey environment with a unique character.

In our view, the photo-montages with close-up, acute views along Rose Street, downplay the considerable visual impact of the new development, as the upper levels are hidden from view, but would be fully visible when slightly further away or viewed along the steep upper sections of Longmarket and Shortmarket Streets. From these residential streets, the proposed building would form a dominating 'wall' of development and the "stepped massing", with numerous projecting balconies, roof gardens and green walls (elements that are foreign to the Bo-Kaap) will merely cause visual clutter. It is suggested that an independent Visual Impact Assessment should be undertaken, rather than relying on selective photomontages by the project architects. Such VIA should also include views from within the Bo-Kaap, including the iconic views down Longmarket Street and Shortmarket Street, as experienced by residents and visitors.

With regard to (b) above, HWC disputes the datum lines that have been used to establish the heights and set-backs. Whilst the base zoning and its associated development rules are recognised, the Heritage Protection Overlay Zone, which is a lawful deprivation, takes precedence over these underlying "development rights" and was specifically promulgated to allow for context to inform development and, where necessary, to limit it. We are of the view that a height of 60m above this section of Buitengracht Street is inappropriate, as it will dominate both the Bo-Kaap and Riebeeck Square and exacerbate the separation of the Bo-Kaap from the West City.

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As far as design principle (c) above is concerned, HWC does not agree that the Netcare ('City-Park') Hospital, diagonally opposite Riebeeck Square, can be used as justification for the construction of another insensitively-scaled ziggurat building or that "counter-balancing" the mass of the hospital would be successful mitigation for the negative effects of the existing hospital on the urban environment. We do however not object to the principle of a new building, which does not dominate Riebeeck Square, serving as an enclosing element to the square.

Even though Section 38 of the NHRA is not triggered, the Heritage Statement uses the "sustainable social and economic benefits to be derived from the development", as per Section 38(3)(d) of the NHRA, as motivation for the development. It states that this new development will "increase the residential population of the city and make a major contribution to the local economy". Also that it will "significantly increase rates revenue and act as a catalyst for urban renewal". While these potential benefits are not disputed, they are comprehensively outweighed by the detrimental impacts on heritage resources. The Heritage Statement is also silent on the potential impact on the tourism economy, which will be negatively affected by a very large building looming approximately 16 storeys above the Bo-Kaap edge, overshadowing and divorcing it from the West City.

We note that in terms of Item 164(2) of the Development Management Scheme, "the City must take into account the effect such activity may have on the significance of the heritage place or heritage area concerned".

It is HWC's view that that the development proposal in its current form is inappropriate in this heritage context and that it will have a detrimental effect on the heritage significance of both Riebeeck Square and the Bo-Kaap. As noted in the CoCT Densification Policy, development that will be compromising the surrounding built environment should not be supported. We therefore strongly object to the current planning application.

The proposed mitigation measures, such as stepping down in height are inadequate to address the substantial impacts of an over-scaled building. The applicants should be encouraged to re-conceptualise the development proposal, based on comprehensive heritage indicators and not to merely maximise development, with mitigation as an afterthought.

We thank the City of Cape Town for ensuring that HWC has been consulted in this important matter and look forward to further engagement.

Should you have any queries related to this correspondence, please contact the designated official as stated above.


 Mr. Mxolisi Dlamuka
 Chief Executive Officer, Heritage Western Cape

