

DOI 353onMain Project

From: Byron Miller <byronjames@live.co.za>
Sent: Monday, 08 June 2026 14:49
To: DOI 353onMain Project
Subject: 353 Comments

Hello team,

I apologise that this has come in after yesterday's deadline. I appreciate if it can be considered.

I am not opposed to the redevelopment of this site, nor to the provision of social housing on it. My objection is directed at the scale, bulk and street interface of the residential parcels (Development Parcels 2 and 3) as currently proposed. In my view these contradict the Updated HIA's own stated heritage objectives, and they fail the established principle that new development on a Provincial Heritage Site (PHS) must remain subordinate to the heritage resource. These shortcomings can and should be resolved now, as conditions of any approval, rather than deferred to a later "detailed design" stage that will be free to rely on the precedent of this approval.

The proposal contradicts its own stated heritage objectives

The Updated HIA repeatedly commits to managing the development's impact on the surrounding heritage area through increased setbacks, green buffers, the stepping-down of building scale and the reflection of the finer grain of the low-density context. In particular, the stated objective at page 156 is to increase the building setback from the site boundary "along sensitive residential heritage interfaces such as The Glen, Herbert Road, Heathfield Road and parts of Milner Road... to allow for substantial softening and visual screening of the site edge through the planting of medium to large calibre ground level trees." The same page calls for "further articulation of the building's mass through façade modulation to achieve a fine grain texture, upper-level setbacks and roofline variation", noting that this is "particularly relevant to the Portion 2 and 3 sites where the current proposal introduces a significant contrast to the adjacent low-rise heritage dwellings and noticeably changes the character and sense of place of the street."

The development parameters themselves do the opposite of what these objectives require. The HIA's own Development Parameters table records the following for the two residential parcels:

Parameter (GR4 zoning)	Permitted	Parcel 2 (proposed)	Parcel 3 (proposed)
Height	24 m	15 m	15 m
Floor area ratio (FAR)	1.5	1.9	1.8
Street building line	4.5 m	1.5 m	1.5 m
Common building line	4.5 m	4.5 m	3 m
Coverage	60%	47%	46%

Two figures are decisive:

The proposed floor area ratio exceeds what the zoning permits. Parcels 2 and 3 are proposed at a FAR of 1.9 and 1.8 respectively, against a permitted FAR of 1.5. The buildings are therefore carrying more bulk than the base zoning allows, even though their height is kept below the permitted maximum. The reduced height does not, on its own, deliver a fine-grained or low-impact form when the bulk is pushed above the permitted envelope.

The street setback is cut to one-third of the permitted distance. The street building line is proposed at 1.5 m, against a permitted 4.5 m, on the very streets - The Glen, Heathfield, Herbert and Milner - where page 156 says the setback should be increased. This is a substantial departure, and it is the direct opposite of the proposal's own mitigation objective. A 1.5 m setback also leaves no practical room for the "medium to large calibre ground level trees" that both page 156 and the R1 landscape guideline (page 120) rely on to soften the edge. The setback departure and the missing tree buffer are, in effect, the same failure.

I note for completeness that the proposed coverage (46–47%) is below the permitted 60%, so my objection is not that the buildings cover too much ground. The heritage problem is the combination of a FAR above the permitted level, a street setback well below it, and a built form that, as page 128 illustrates, reads as a series of large, wide blocks with no meaningful stepping or articulation. The HIA's own words - that the proposal presents "a significant contrast to the adjacent low-rise heritage dwellings" and "noticeably changes the character and sense of place of the street" - describe exactly the harm I am asking HWC to prevent.

The new buildings are not subordinate to the Provincial Heritage Site

There is clear and consistent precedent that new development on or adjacent to a heritage resource must be subordinate and subservient to it. In its current form the proposal does the reverse: it maximises the developable bulk around the protected school complex and visually subordinates the Grade 3A school building rather than deferring to it. Large, undifferentiated blocks on Parcels 2 and 3 do not defer to the heritage core; they compete with it.

This concern is not only mine. Following its meeting of 11 March 2026, HWC itself found that the report did not satisfy Section 38(3) of the National Heritage Resources Act - specifically subsections (d) and (e) - and required an integrated spatial framework for the entirety of the Provincial Heritage Site, on the basis that the school complex cannot be treated in isolation. I do not believe the updated submission meets that requirement. Design guidelines and an interim maintenance (heritage) agreement do not, in substance, amount to an integrated spatial development plan, nor to any binding governance framework that holds the three subdivided parcels and the school portion to a common heritage objective over time. Without such a framework, there is a real risk - borne out by other former Western Cape Government properties and social housing projects that have since deteriorated - that the site is fragmented into separately managed parcels with no enforceable mechanism to sustain the heritage of the whole.

This requires a much broader, holistic governance framework that supports the long term sustainability and success of all parts of the site. This entire project is only a successful endeavour if the social housing, future users of the heritage buildings and the market priced units all support each other in a cohesive manner to drive the success of the full project and to add value to the immediate area. This is important given the size of the opportunity to do so.

The interface with The Glen has not been properly assessed or designed

The Glen is expressly identified in the HIA as a sensitive residential heritage interface, yet the assessment and design of that interface are inadequate in several specific respects:

The Glen frontage has not been visually assessed. The Visual Impact Assessment's only viewpoints from The Glen (VP1 and VP2) both look north-west, toward Main Road and the Parcel 1 block. There is no pedestrian-level photomontage showing the Parcel 2/3 frontage as it would actually be experienced by a person standing on, or living opposite, The Glen.

The stepping-down to The Glen is only an aspiration. The stated intent for Development Parcel 3 is to "step the building as much as possible along Heathfield Road and The Glen... to achieve a fine grain character that reflects the smaller residential buildings in the area." This is written as a detailed-design aspiration ("consider", "as much as possible", "recommended during the detailed design stages"), while the binding parameters - FAR above the permitted level and a 1.5 m setback - are fixed at approval and

effectively guarantee a monolithic block. Articulation added later cannot rescue an envelope that is over-bulked and under-set-back at the line. The HIA itself concedes that “High impact visual intrusions will... be experienced at the local, street-level scale” - which is precisely the scale of The Glen.

Overshadowing has not been studied. The Glen descends steeply, so a four-storey block on the upper side of the street carries a real risk of overshadowing properties opposite and below it. No daylight or overshadowing study has been provided, so this impact on the residential heritage interface is simply unassessed.

Demolition within the Provincial Heritage Site

The proposal seeks the demolition of Wynyard Mansions (graded 3C) and of the Music Rooms, the latter graded “not conservation worthy” (NCW) and assessed as having “no heritage impact.” Both structures, however, fall within a site that HWC has confirmed it regards as a Provincial Heritage Site “in its entirety,” formally protected under Section 27 of the NHRA. This proposal has also expanded the ambit of buildings they now consider open to demolish further from just these two. I am concerned that demolition of structures inside a declared PHS is being authorised by implication, folded into a broad precinct-enablement approval. I also note an internal inconsistency in the HIA, which assigns the Music Rooms to Portion 3 in its executive summary but to Portion 2 in the body text. Any demolition within the PHS should be dealt with by a separate, explicitly motivated Section 27 demolition permit, assessed on its own merits and open to comment, rather than granted as a by-product of the subdivision and massing approval.

Precedent and consistency of decision-making

Numerous applications in the surrounding Sea Point Heritage Protection Overlay Zone are held to clearly defined setback and scale requirements. There is ample precedent for two- and three-storey forms, and very little for four storeys in the residential fabric between Main Road and High Level Road. If HWC approves a FAR above the permitted level and street setbacks reduced to a third of the zoning standard on this PHS, that outcome will be relied upon as precedent for further departures elsewhere in the HPOZ. Consistency of decision-making requires that this application be held to the same standards as its neighbours, and that the opportunity to get the interface right be taken now, at the enablement stage, rather than surrendered to subsequent processes.

Relief sought

I respectfully request that Heritage Western Cape decline to endorse the Updated HIA as compliant with Section 38(3) of the NHRA in its current form, and that, if the application proceeds, the following be imposed as binding conditions rather than left to detailed design:

1. Cap the floor area ratio on Development Parcels 2 and 3 at the permitted level of 1.5.
2. Reinstate the 4.5 m street building line on The Glen, Heathfield, Herbert and Milner Roads, or require any departure to be separately and explicitly justified on heritage grounds.
3. Make the following binding conditions of approval (not detailed-design aspirations): stepping the built form down to a two-to-three-storey street wall on The Glen; upper-level setbacks; façade modulation to achieve a genuinely fine-grained texture; and a continuous medium-to-large-calibre street-tree buffer (per guideline R1) along The Glen.
4. Require, before any approval, a pedestrian-level Visual Impact Assessment (photomontages) of the Parcel 2/3 frontage as seen from The Glen, together with a daylight and overshadowing study for the Glen interface.
5. Require a separate, explicitly motivated Section 27 demolition permit for any demolition within the Provincial Heritage Site, including the Music Rooms, assessed on its own merits.

6. Make a precinct-wide heritage management and governance framework - binding on all three parcels and the school portion and registered against the relevant titles - a condition of approval, to ensure the long-term integration and protection of the Provincial Heritage Site as a whole, as required by HWC's own Further Requirements of 18 March 2026.