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Proposed Amendment to Conditions of a previously issued HWC S. 34 PERMIT, Partially fulfilled

Revised Architectural Design

**150 Buitengracht Street, Bo-Kaap, Cape Town
Erf 3032, Cape Town**

INTRODUCTORY LETTER

**Prepared by Peter Büttgens, Peter Büttgens Architects and Heritage Consultant
01 October 2018**

PROPOSED AMENDMENT TO CONDITIONS OF A PREVIOUSLY ISSUED S. 34 PERMIT

1. BACKGROUND TO APPLICATION TO AMEND S. 34 PERMIT CONDITIONS

Heritage Western Cape (“HWC”) has advised the applicant to proceed with public participation process following which a formal application for the amendment of the third condition of the S.34 Permit dated 14 May 2007 may be brought to HWC.

This public participation process and request for comments is a culmination of a previous interim advice application to HWC submitted in April 2018. The process undertaken and HWC BELCom committee final advice will be more thoroughly described by Nicholas Smith Attorneys.

2. INTRODUCTION TO REQUEST FOR COMMENTS

The following information was already made available during an interim consultation process and also sent out to interested and affected parties as well as bodies such as City of Cape Town and SAHRA.

As this is another consultation process, this information we will repeated here.

The new owner of Erf 3032, Cape Town, at No. 150 Buitengracht, Bo-Kaap, intends to amend a building design previously approved by Heritage Western Cape in 2007 and 2008. There were several permits and ROD’s and the final S.34 Permit for total demolition was issued on 25 March 2008 with a proposed building design attached.

This HWC S.34 permit granted permission to demolish an existing older building (with archaeological conditions), approved an appended architectural building design and requested that the final council building plans be submitted to HWC to be cleared.

The owner demolished the old building on the site and fulfilled other HWC requirements, such as to stabilise the neighbouring buildings. The Permit was thereby acted upon although the actual building project itself was subsequently cancelled by the then owner.

The new owners wish to proceed with the development, however, after some considerations, decided that the approved building design cannot accommodate their intentions and have a different vision in mind for the site.

The owner's architects are proposing a different design solution which responds to the new brief as well as proposes a different approach to the street edge and incorporating both spatially and visually, the highly significant 148 Buitengracht house with the curved parapet.

3. HERITAGE PROCESS OF AMENDING PREVIOUS PERMIT

After discussions with HWC, it was established that, and notwithstanding the change in ownership, the permit issued by HWC in 2007 and 2008 remains in force as part of it has been enacted after the demolition of the building on the site. The building design attached to the permit therefore could still be built.

HWC stated that should the design be changed, a submission must be made to the authority for them to assess the revised design and if approved, to issue an amendment to the previous permit.

4. REQUEST FOR PUBLIC COMMENT

As outlined, HWC has advised the applicant to proceed with the public participation process to receive comments from interested and affected parties on the proposed design changes to the S.34 permit. After this, an application may be brought to HWC for the amendment of the Permit issued in 14 May 2007.

The following bodies will receive documentation to comment on as part of the public participation process:

- BoKaap Civic and Residents Association (BOCRA)
- City of Cape Town EHRMS officials
- SAHRA: full information pack uploaded to SAHRIS
- A hard copy will be left at HWC offices public counter on the third floor
- Notice published in a major Cape Town Newspaper, Cape Times
- Public Notice: a notice will be attached to the site boundary fence in a prominent place. This notice refers to any interested parties to contact PBA for electronic copies and/or direct to HWC offices counter to view hard copy.

These will all be made available from 3 October 2018. The commenting period is for a minimum of 30-days; we request any comments to receive us at the latest on 5 November 2018.

5. OUTLINE - PROPOSED DESIGN CHANGES TO PERMIT CONDITION

The owners and architects are aware of the sensitive context the site and its proximity to buildings which are PHS (Auwal Masjied) or arguably might be good candidates for such grading, such as 148 Buitengracht. The site has a long history of planned development - there is a HWC S.34 permit with an approved large building design attached as a condition, and which presently would be considered too high for this context.

As outlined, the demolition permit with conditions was enacted but not fully completed. The approved design could legally be built as per the approved design.

None of the 2007 and 2008 HWC permits and ROD's specifically mentioned any constraints such as height, or roofscape or materials, or building alignments, or street boundary treatments, etc. The only qualitative condition, as such, was the requirement that the plaster mouldings on certain architectural components of the design be removed.

There is however now an opportunity to improve the quality of the proposed building in various aspects - such as revealing and integrating the historic 148 Buitengracht Street much more appropriately. This house appears to be the last original house in the Bo-Kaap with a curved parapet, (the Bo-Kaap museum with a similar curved parapet is a fairly recent repair/ reconstruction); as well as much improve the overall street interface onto Buitengracht.

The previously approved design's street edging appears hostile and acts as a barrier with high walls, car ramps and garage roller-shutter doors. The proposed street interface has a completely different urban design approach, which incorporates a *stoep* as threshold between the public realm and retail outlets, bistros, as well as an exhibition space. This exhibition space is envisaged to offer a visual urban link between Buitengracht and the historic curved parapet house.

The exhibition space is also seen as offering a space for the Bo-Kaap to interact with their present, past and future through exhibitions, installations and events. Two respected historians have been engaged by the owners to explore possible approaches of creating a narrative around the site and place, using this public space as a catalyst.

Usage: The development is mix-used and will have offices, apartments and retail on the ground floor. The residential accommodation is for short-stay

serviced apartments. There is therefore almost no need for parking and no significant additional traffic is envisaged.

Height: Although the current zoning of the property allows for a higher building of up to 12 storeys, the height of the new design has been kept the same as the approved design (i.e. 9 storeys).

Kind Regards



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ANNEXURES

The following annexures are attached to this Covering Letter:

Annexure 1 – Application History

Annexure 2 – Design Informants (Text) – Objek Architects

Annexure 3 – Design Informants (Graphics) – Objek Architect

Annexure 4 – Proposed Amended Design – Objek Architects

Annexure 5 – Comparison Table – Objek Architects

Annexure 6 – HWC Advice Process Summary and Conclusion – Nicholas Smith Attorneys

**Annexure 7 – Report of Protection of Surrounding Buildings – Atvantage Project
Managers**

Annexure 8 – Historian Report – Delve Historians

Annexure 9 – Site Notice

Annexure 10 – Previously Approved Building Plans – ARC Architects