

HERITAGE SIGNIFICANCE

to accompany an application to KwaZulu-Natal Amafa & Research Institute for a Permit in terms of Section 7 (1)(c) of the National Heritage Resources (25 of 1999) and Section 48 (1) of the KZN Amafa and Research Institute Act (5 of 2018), for the alteration and addition to a KZN Grade III B Heritage Resource

Erf 174 Umgeni Park
71 Hunters Way, Umgeni Park



(147 Brooks Road, Durban North)



November 2022

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1. Executive summary

Where would you position a new house if you had a site of over 7 hectares overlooking the Umgeni River and the growing borough of Durban? This Edwardian house, constructed in 1905 was set back on the site with a wrap around veranda facing the view to the south. Remarkably, the same family occupied the house for nearly 100 years. The intangible heritage of this house is remarkable and should be further documented. Tracing the history has been difficult with the usual source, title deeds, not being available. In 1976, the majority of the site was expropriated by the Development and Housing Board, leaving a site of just over 4 000 m². The title deeds before this do not exist.

The second, and present owners of the site purchased the house in 2002 from a deceased estate. It is now for sale again. It is being purchased subject to obtaining the use to convert the building to a Children's Educational and Entertainment Centre. This would ensure that the site remains intact despite the zoning and requires a permit from the KwaZulu-Natal Amafa and Research Institute for the minor alterations and change of use.

2. Introduction & motivation for the application

The story of this house on its 4 104 sq m site, contrasting with the duplexes and townhouses cheek by jowl surrounding it, has all the makings of the myths and legends told about the earliest houses built when Durban was a fledgling city and which managed to survive redevelopment to the present time. Initially thought to have been built in 1874 and only having two owners since then, did not tie in with the examination of the title deeds. The property is now owned by Gregory GB Hammond and Deidre I Hammond, having purchased it from the estate of Sylvia Ann Jessie Simpson (born Agar) in 2002. The Deed of Transfer lists Sylvia as being born in 1909 but the Deed of Transfer is dated 1977 with the owner being the Development and Housing Board. This does not tie in with the legend of only two owners and the age of the house, nor that this was the original hunting lodge when Durban North was outside the Borough of Durban.

The property is for sale and the prospective third owner wishes to convert the house to an educational and entertainment centre for children. Very little alterations are required for this change of use, but the important consideration is the retention of the garden. The zoning of this property is Special Residential 900 sq m, allowing a total of five houses to be constructed on this site. By allowing the property to be converted to a children's centre will ensure the conservation of the house and the site without the site being carved up in line with the zoning.

From the road, 'Sylvanwoods' will look as it does now. The financial viability of the project will allow the continual maintenance and upkeep of 'Sylvanwoods' to continue.

3. Legal framework

From the National Heritage Resources Act (25 of 1999):

Heritage assessment criteria and grading

7.(1) SAHRA, in consultation with the Minister and the MEC in every province, must by regulation establish a system of grading of places and objects which form part of the national estate, and which distinguishes between at least the categories-

(a) Grade I..

(b) Grade II

(c) Grade III Other heritage resources worthy of conservation,

and which prescribes heritage resources assessment criteria, consistent with the criteria set out in section 3(3), which must be used by a heritage resources authority or a local authority to assess the intrinsic, comparative and contextual significance of a heritage resource and the relative benefits and costs of its protection, so that the appropriate level of grading of the resource and the consequent responsibility for its management may be allocated in terms of Section 8.

of a site in respect of which a notice referred to in subsection (3) has been published, without the prior written approval of the Institute having been obtained on written application to the Institute .

From the KZN Amafa and Research Institute Act (5 of 2018):

General protection: Structures

37.(1)(a) No structure which is, or which may reasonably be expected to be, older than 60 years, may be demolished, altered or added to without the prior written approval of the Institute having been obtained on written application to the Institute.

(b) of a site in respect of which a notice referred to in subsection (3) has been published, without the prior written approval of the Institute having been obtained on written application to the Institute .

Register of Heritage Sites

48. (1) The Institute must establish and maintain a consolidated register of all heritage resources in the Province as prescribed in section 30 of the National Resources Act.

71 Hunters Way is listed in Appendix 7 (now Appendix B) of the Town Planning regulations, entry 18.45. It was graded as a 'B' category Listed Building. The entry is not in Professor Brian Kearney's 'The Revised Listing of Important Buildings and Places in Durban' and was obviously a later addition. The buildings in Appendix B are referenced in Clause 9.4 of the Town Planning Scheme:

9.4 IMPORTANT BUILDINGS AND OBJECTS (see list at Annexure B)

Recognising the unique value of the architectural and historical heritage of the city, the Municipality has prepared a comprehensive list of places and buildings which are important for their architectural, historical or artistic contribution to the general environment. The Municipality wishes to control the demolition and development of the identified items to ensure their proper conservation, and is desirous of providing encouragement and incentives through the relaxation of any provisions of the town planning scheme by Special Consent, where such relaxations are in keeping with the conservation objectives.

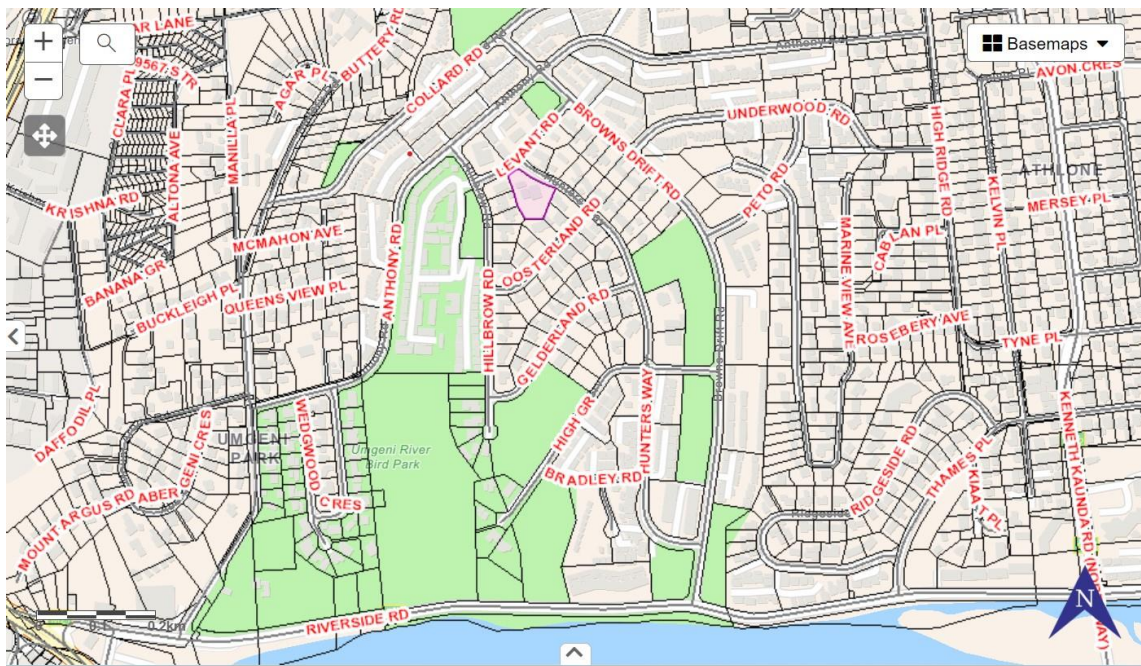
9.4.2 Notwithstanding any other provision of this scheme, the Municipality may, by Special Consent, relax any provision of this scheme in respect of the site upon which an Important Building or Object stands and the Important Building or Object itself provided that it can be shown to the Municipality's satisfaction that such relaxation is necessary and will :-

- (a) ensure the conservation of either the architectural, historic or artistic value of the Important Building or Object.*
- (b) not reduce the architectural, historic or artistic value of the Important Building or Object; and*
- (c) not unduly interfere with the amenities of the neighbourhood existing or as contemplated by the scheme,*

Appendix 7 noted the following architectural elements for its listing:

Front and side spaces including boundary wall (s), posts, gates and fencing, overall form single-storied hipped roof with corrugated sheeting, plastered walls, gable with bargeboards (solid or of fretwork) and ventilator, verandas with timber posts, brackets, friezes and balusters, front door, sidelight and fanlight, bay windows, sliding sash windows including cills, plastered details including quoins, string cornices, cornices, mouldings, pilasters, entablatures, door and window cases, pediments and parapets, mock ashlar jointing.

4. Location



The site marked in lilac. Source eThekweni's GIS.

Erf 174 Umgeni Park is situated at the corner of Hunters way and Levant Road and is now 4 104 m² in extent. The site is fairly level with a gradual fall towards the entrance in Hunters Way.



Umgeni Park as it is today. The suburb has been densified with the zoning allowing multiple units and apartment blocks. Valleys have been left undeveloped due to their steep terrain. (Source Google Earth).

5. The Agar Family

The 7 hectares of land were purchased by Charles Artemus Agar in 1870 who intended farming. The Agars farmed cotton, coffee, arrowroot and chillies, capsicums, cucumbers and spices for their curry powder and pickling business. Charles Artemus was the hunter and he would take his son hunting with him. Charles constructed a house not far from the present house known as 'Sylvanwoods'. Charles' son, also Charles was born in 1854 and married Jessie Dawson. In 1905 they constructed the house 'Sylvanwood'. They had four children. Their youngest child, Sylvia was born in the front bedroom in 1909. In 1934 Sylvia married Ronald Simpson. They bought the house from the estate when Jessie died in 1964.

Ronald pre-deceased Sylvia in 1993 but Sylvia carried on living in 'Sylvanwoods' until eight months before her death in 2002 at the age of 93. 'Sylvanwoods' was then sold to Greg and Deidre Hammond. (Source: 'Sylvan Woods' The ongoing story of a Natal home over 100 years. This story is written for my grandchildren. By Diana Noyce May 2004.)



Family tree of Sylvia Ann Jessie (Agar) Simpson 1909 – 2002. Source WikiTree.



Sylvia Ann Jessie Simpson (born Agar)

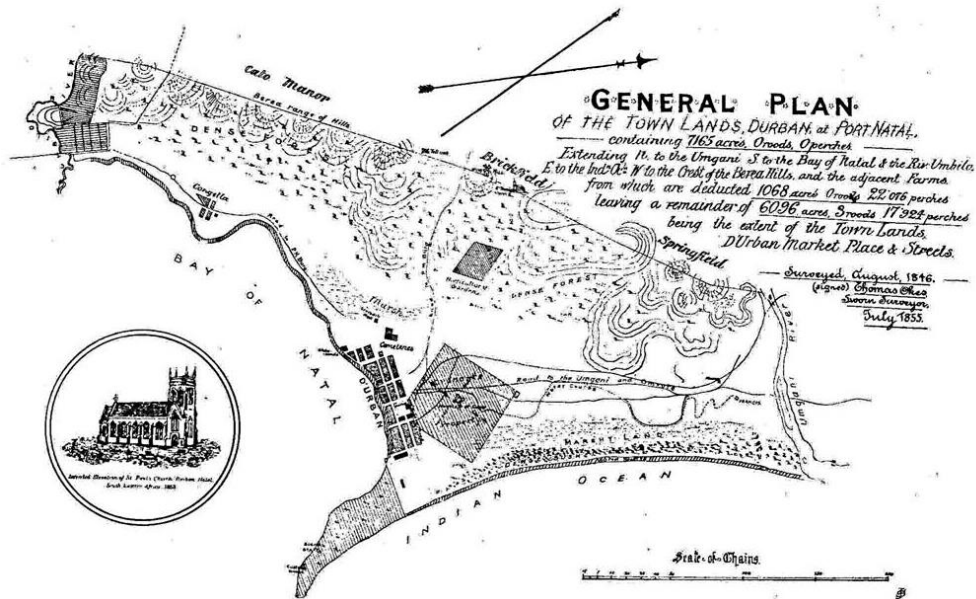
6. The architect?

The earliest plans of the house are dated 1940. The original plans have not been found; accordingly the architect is not known. The occupation of Ronald Simpson was given as a draughtsman and later as an electrical engineer. He is the author of the later alterations.

7. The history of the site and house

7.1. The site

Up to 1932, the Townlands of Durban were defined by Ridge Road, the Umgeni River and the Umbilo River so this site was on the border of the Townlands of Durban. From 1932, the Borough was greatly extended by the addition of Umhlatuzana district, "South Coast Junction" (Rossburgh, Bluff etc), Mayville (Cato Manor & Brickfield). Sydenham (Springfield) and Greenwood Park (Durban North). These areas were formerly administered by Health Boards.



Map of Town Lands, Durban and Port Natal, Thomas Okes 1855.
Source : Russell (226).

After the great flood of 1856, there was a need to build a bridge across the Umgeni to Victoria County, which later became Durban North. In 1864, Queen's Bridge was constructed at the approximate position of present day Connaught Bridge.

Plotting the exact position of the 15 acres purchased by Charles Artemus Agar and referred to in Diana Noyce's history of the family proved difficult and required the help of the land surveyor Lawrence Ausmeier. From an email dated 18 October 2022:

I have not plotted the diagrams but I am 95% sure that our property is located on either Ptn 1 of Erf 201, Ptn 6(of 4) of Erf 201, Ptn 3 of Erf 199 or Ptn 2 of Erf 199 Durban North. These properties have now been consolidated to Erf 259 Umgeni Park (SG No.1643/1974). Consolidation previously known as Lot Bridgeview No.15117.

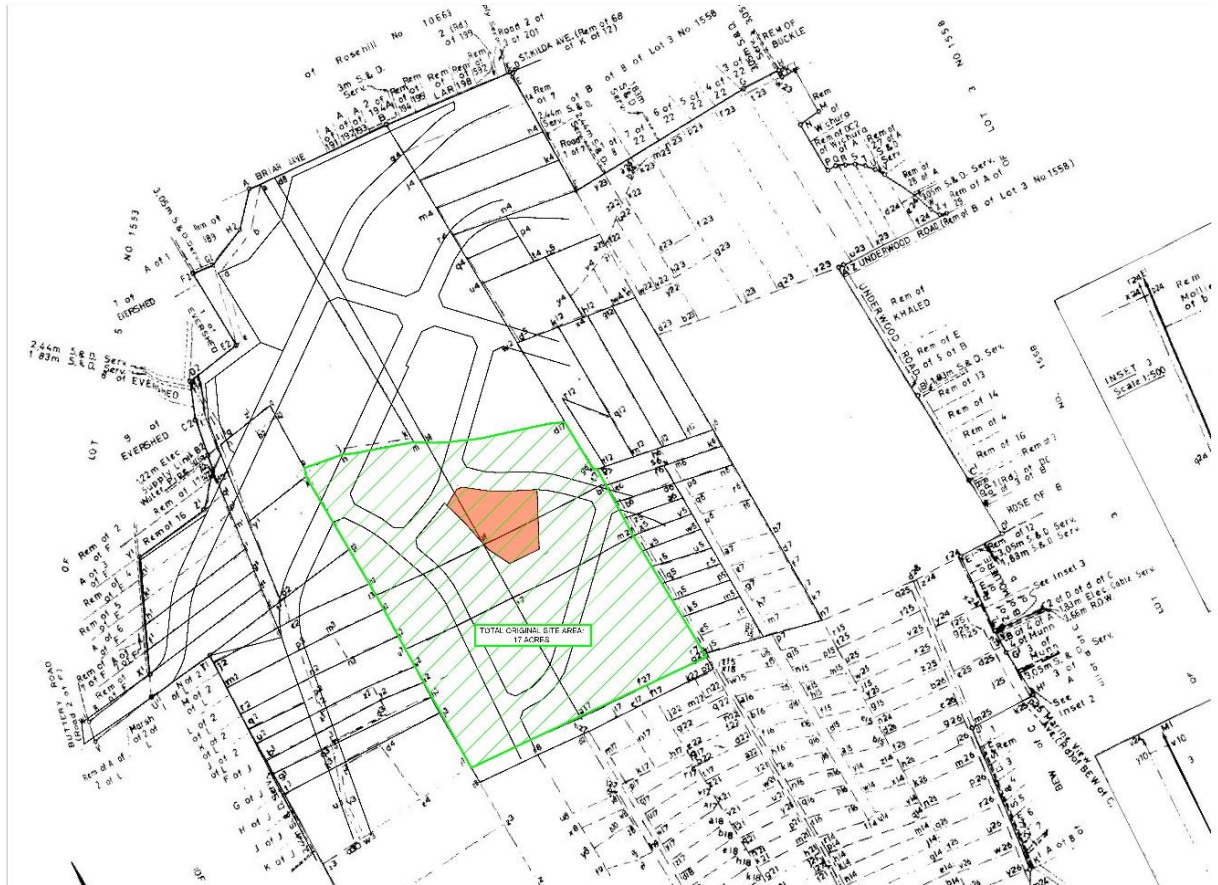
On the attached Deeds Office documents these properties were all transferred to the Development & Housing Board.

If we check back, in the Deeds Office, on the Title Deeds shown on the diagrams (dated between 1899 & 1905), the response is that the documents do not exist.

It would appear that they were owned by either the Government or Municipality and these properties were all transferred in Title Deed T2615/1976 to the Development & Housing Board.

No previous ownership comes up when I look at Deed of Transfer T2615/1976.

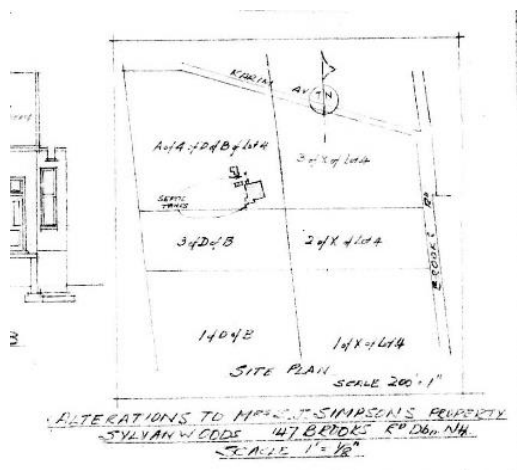
Using the previous General Plan, we plotted the position of the sites referred to by the land surveyor.



The previous six sites with the current site superimposed on it. (By author).

We made some assumptions about the size of the original site, based on the description of 15 acres in Diana's article. Our assumption came to 70 393 sq m which is 17,4 acres (drawn as the site area overlay).

Diana Noyce's son confirmed that the previous address for 'Sylvanwoods' was 147 Brooks Road. Checking eThekweni's archives revealed earlier plans dated 1940 and 1946. The original plan from 1905 was not there nor was the first house constructed in 1870. All the other records relating to Brooks Road were small houses owned by the market gardeners.



The site plan on the 1946 plan of 'Sylvanwoods', proving the assumptions.

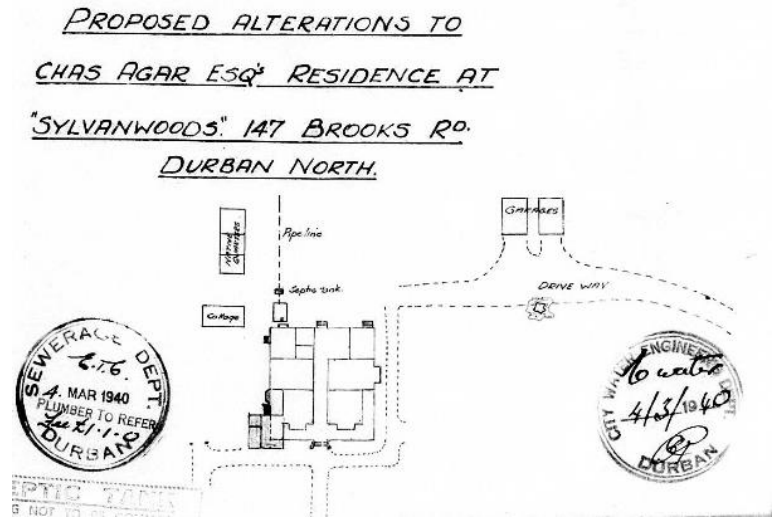


The aerial photograph taken in 1931. The extent of the grounds of 'Sylvanwoods' can be seen with a front driveway and a rear entrance. The small market garden sites surround the Agar house.

7.2. The house

7.2.1 Charles and Jessie Agar, occupation 1905 to 1964.

As stated previously, the original plans for 'Sylvanwoods' do not exist. The earliest plan is the 1940 plan for alterations with the 147 Brooks Road address.



The main entrance to the front of the house can be seen with parking off the rear entrance. The original plan only had a veranda to the south facing front façade with the veranda wrapping around on the east and west facades. There was no veranda to the rear of the house facing north. Both of the front rooms had bay windows.

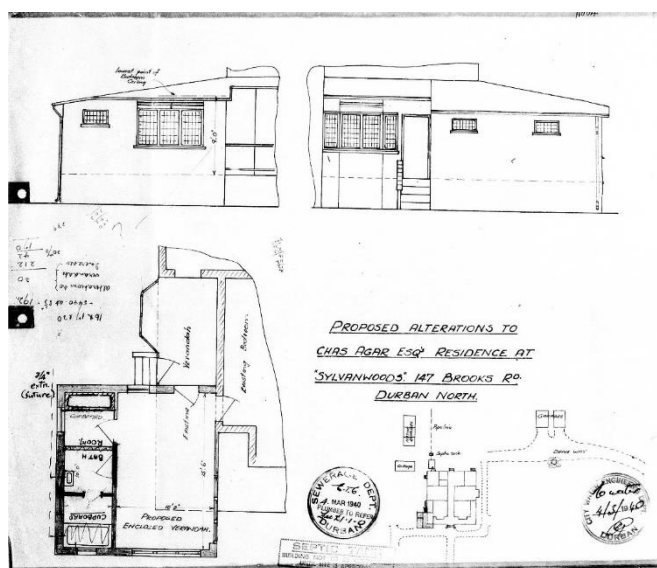
From Diana Noyce's family history:

The couple decided that the time had come to build their new home on part of the Agar estate, which by now had been inherited by Charles and his sisters.

Charles and Jessie chose the site of their homestead with great care. They selected a south-west facing hill with panoramic views of the sea, harbour entrance and the port of Durban which was approximately 5 miles away.

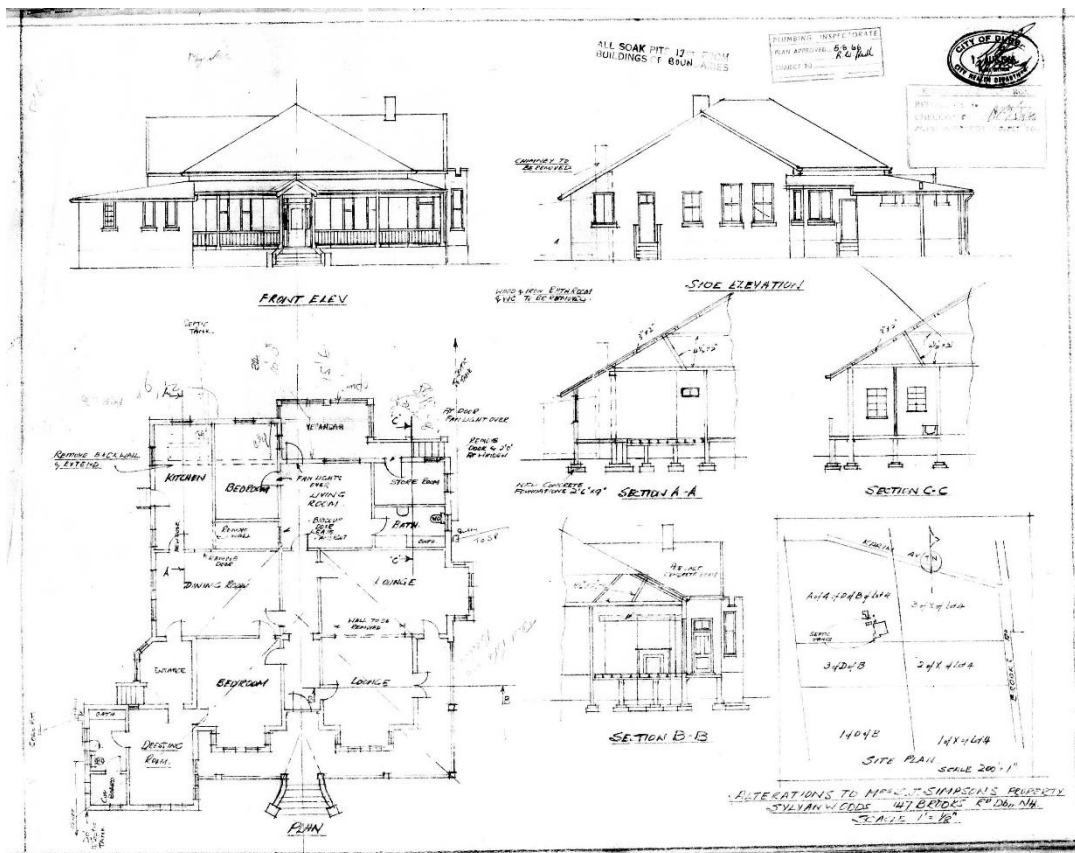
Their choice of architectural style was traditional Natal colonial with a wide passage through the centre facing the prevailing cooling south west breezes. The beautiful stained glass front door opened onto a balustraded covered veranda, which wrapped halfway around the house. There were 5 bedrooms in the original plan, a drawing room, dining room and back kitchen. A lovely fireplace with dark salmon pink marble mantelpiece and surround was imported for the drawing room where cosy fires kept the family warm in winter. All the cooking was done on a coal and wood-fired Dover stove. Like many Natal country homes of the period there was no inside bathroom or toilet. These were situated outside.

Set amidst lush coastal bush teeming with wild-life and 4birds the house with its dark red painted corrugated iron roof and dark green painted doors and sash windows must have looked beautiful.



The 1940 alteration.

The alterations undertaken in 1940 added a bedroom with attached bathroom. Unfortunately, this was taken off the front veranda, severely impacting on the symmetry of the house.

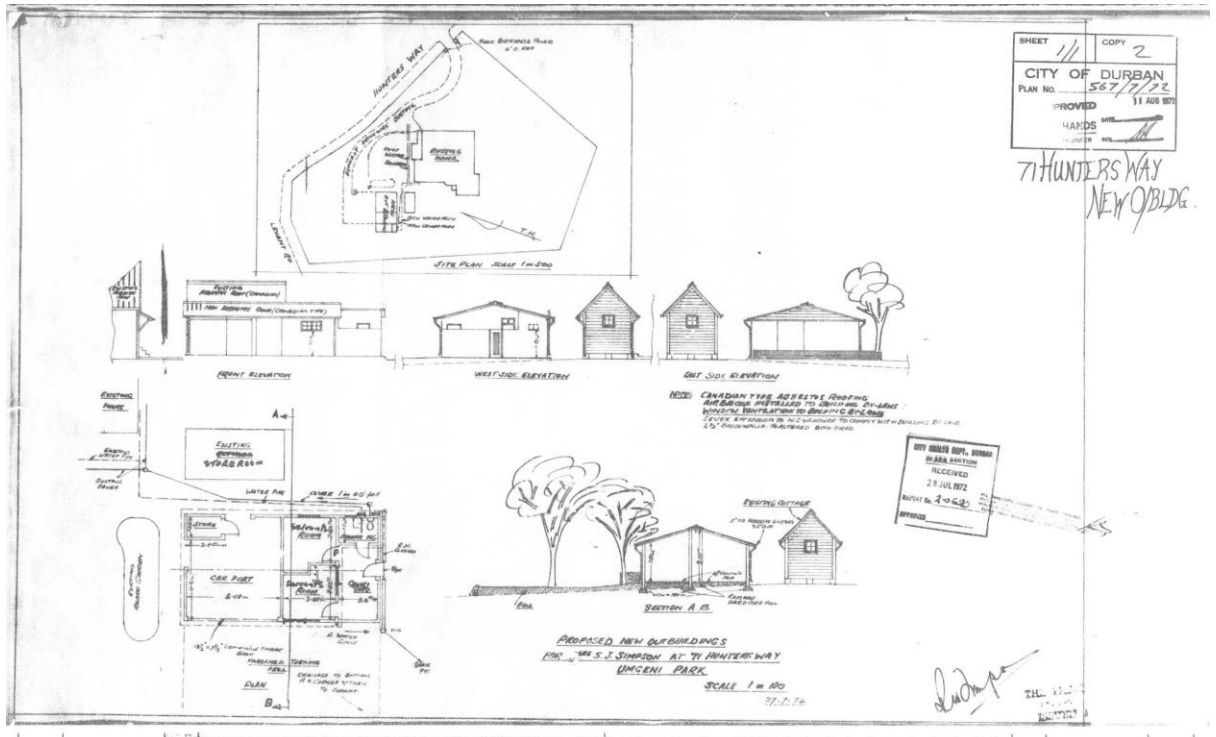


The 1946 plan for further alterations extended the kitchen and bedroom to the rear of the house and added a north facing veranda. The author of the plan is not given.

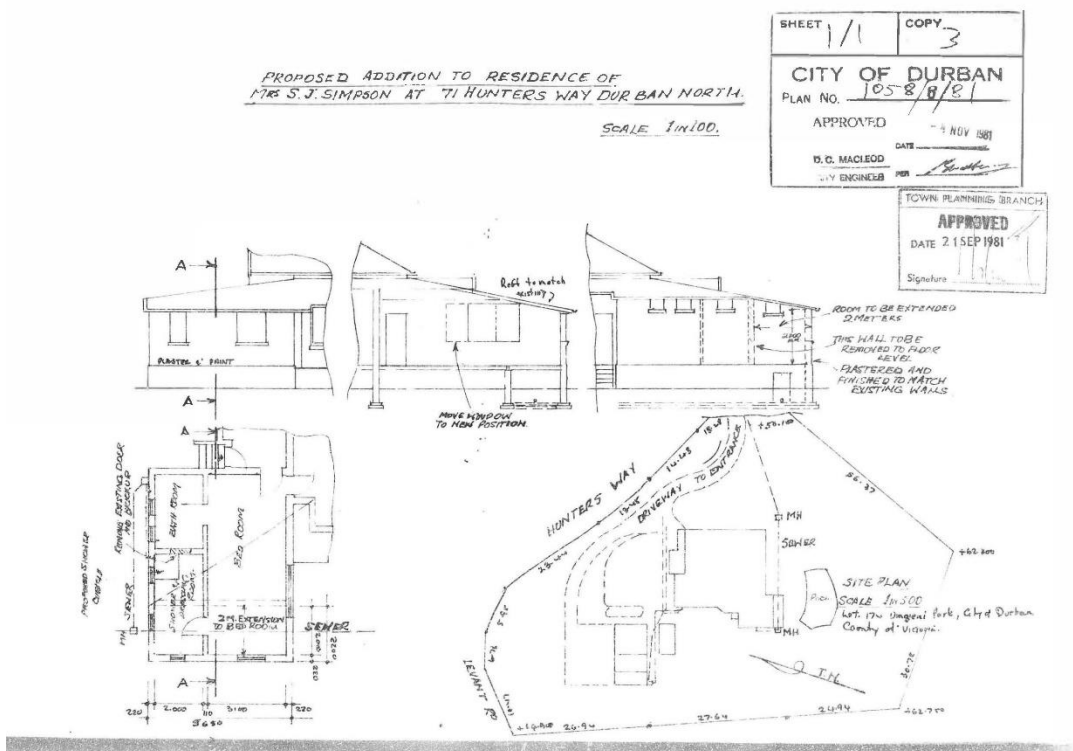
After the Second World War, there were plans to develop the area which became known as Umgeni Park. In the 1960's, the Department of Community Development planned to expropriate the properties of the people living there. After a bitter argument, the Department finally agreed that Jessie, now in her nineties, could keep Sylvanwoods and an acre of land but the remainder of the site should be sold to the Department at a price far below market value. The Indian market gardeners were not as fortunate, as in terms of the Group Areas Act, the area had been declared a 'white' area.

7.2.2 Transfer of the property to Sylvia Jessie Simpson, 1964 – 2002.

On the death of Jessie Agar in 1964 aged ninety-six, the house was bought from the estate by Sylvia Ann Jessie Simpson (born Agar).



The 1972 plan, drawn by Sylvia's husband Ronald Simpson added an outbuilding containing garaging and staff accommodation. The site is shown as considerably reduced with the only entrance now being what was previously the rear entrance.

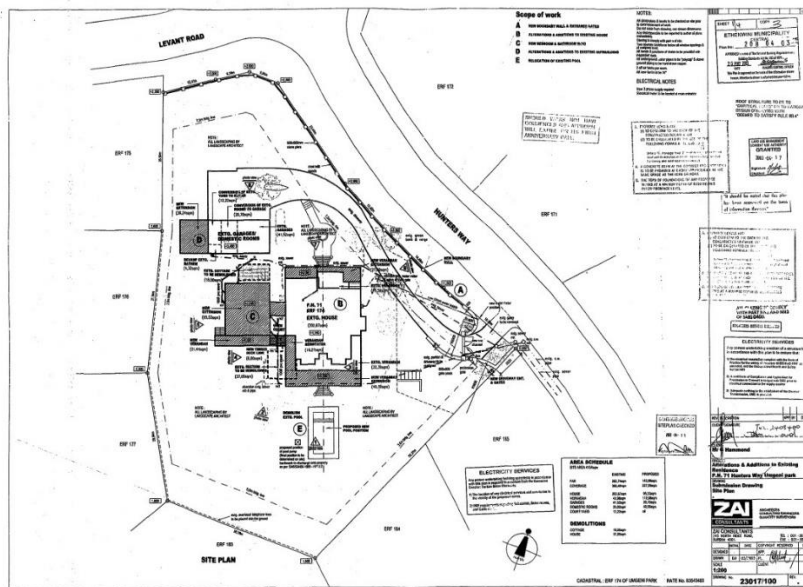


Further alteration plans in 1981 by Ronald Simpson extended the bedroom and bathroom added on the veranda. A swimming pool was also added on the front lawn.

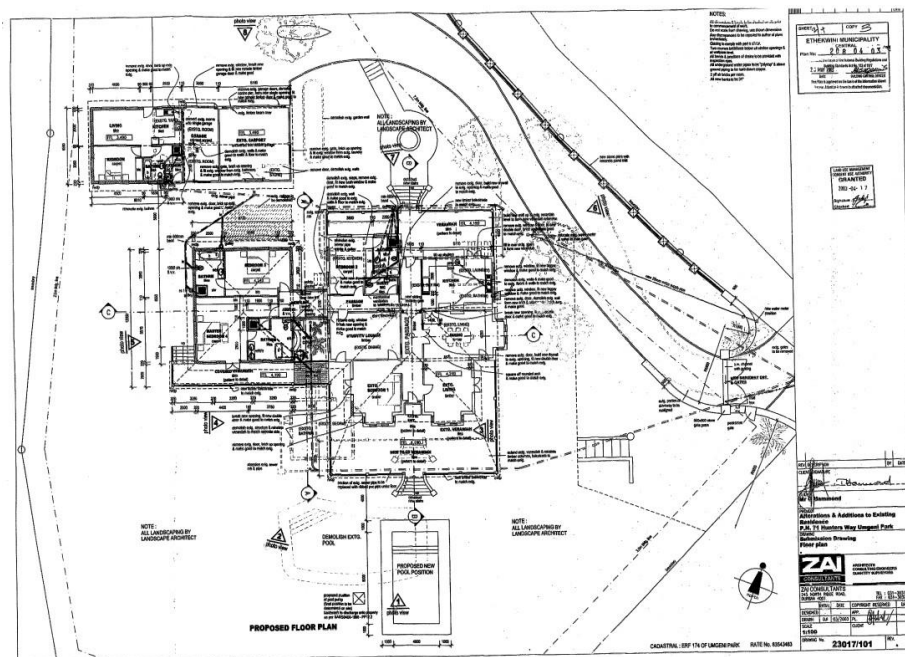
Ronald died at Sylvanwoods in 1993. Sylvia continued to live there alone until February 2002 when she had a serious fall. She died later that year in a rest home.

7.2.3 The current owners 2002 – present.

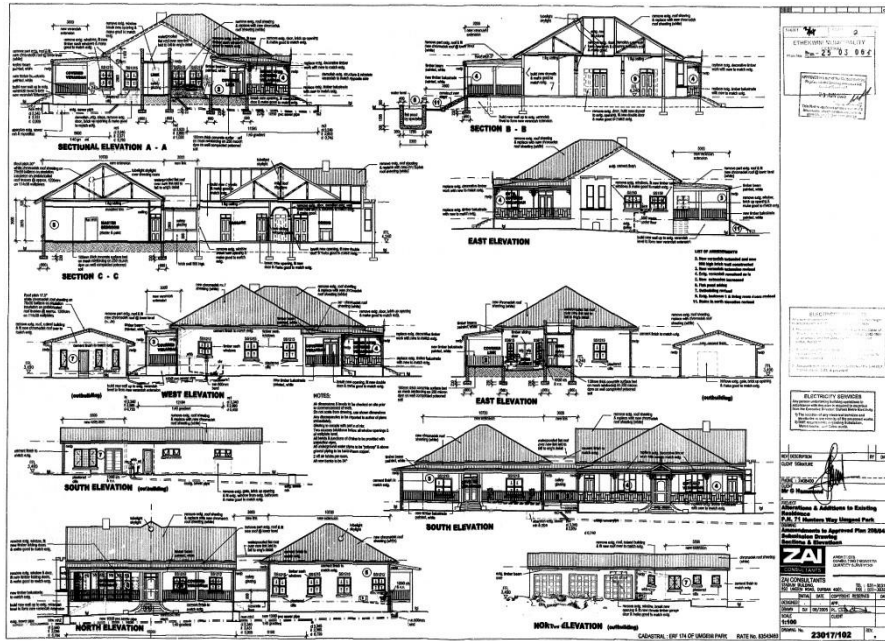
The present owners, Gregory Hammond and Deidre Hammond purchased the building in 2002. The building required substantial restoration. The bedroom alteration was removed and the front veranda restored to its original form. A rear veranda was added as this was now the main entrance. The house was reroofed and rotten windows and floorboards replaced. A two-bedroom addition was added in sympathy to the original house and separated by a link, clearly defining the new building. The entrance was rebuilt, the staff quarters were extended and a new boundary wall added.



Site Plan by ZAI Architects dated 2003.



Ground storey plan 2003.



Sections and Elevations 2003.

8. Assessment of 71 Hunters Way

8.1 Assessment of the building and its future

8.1.1 Historic fabric, authenticity.



The south facing original veranda. The balustrade was removed as the veranda was extended with decking.



The east facing veranda has the original balustrades, posts and fretwork. The bay window with castellations is unusual.



The front bedroom with bay window



The drawing room with matching bay window.



The original fireplace.



The original front door.



Evidence of the bedroom extension,
1946 plan.



First light fittings after gas lighting, 1937

8.1.2 Added by the present owners, post 2002.



North facing veranda added to the rear of the house to create a new entrance 2003.



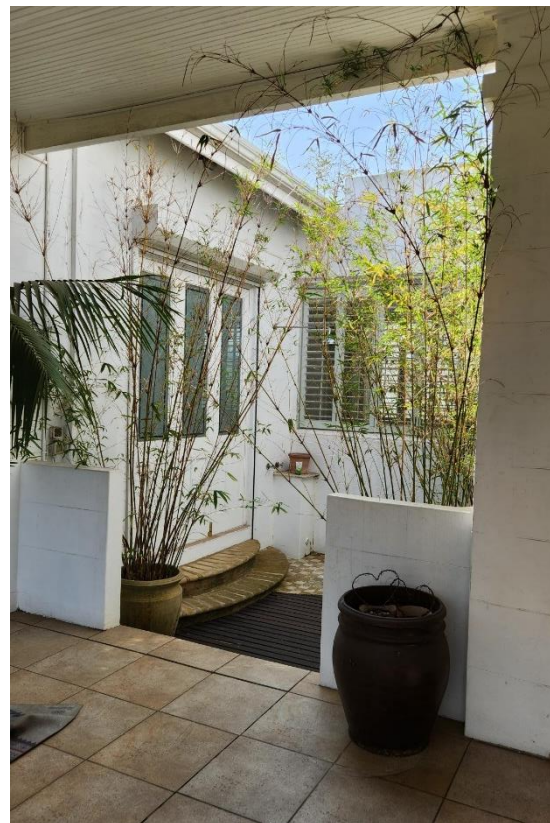
Two bedroom extension added in 2003. The addition was separated from the original house by a link. The veranda has Tuscan Doric columns to indicate intervention.



The balustrades have been removed and the veranda extended with a deck.



The view of the link from the north.



South facing link with outdoor shower, 2003.



New north facing front door.



'Runner' of encaustic tiles to new front door.



New north facing front door.



Original electric light fittings, 1937.



Over elaborate ceiling rose and cornices added to existing drawing room and dining room.

8.1.3 Restoration and maintenance work required currently.



Rotten posts and balustrading requiring repair.



The original sliding sash windows require continuous repairs and maintenance.



The original ceilings are sagging and rotten in many places.

It is estimated that the conversion to a Children's Educational and Entertainment Centre will cost approximately R 2 000 000.00 to achieve. The majority of the costs will be in the refurbishing of the existing building.

8.2. Assessment of the surrounding environment



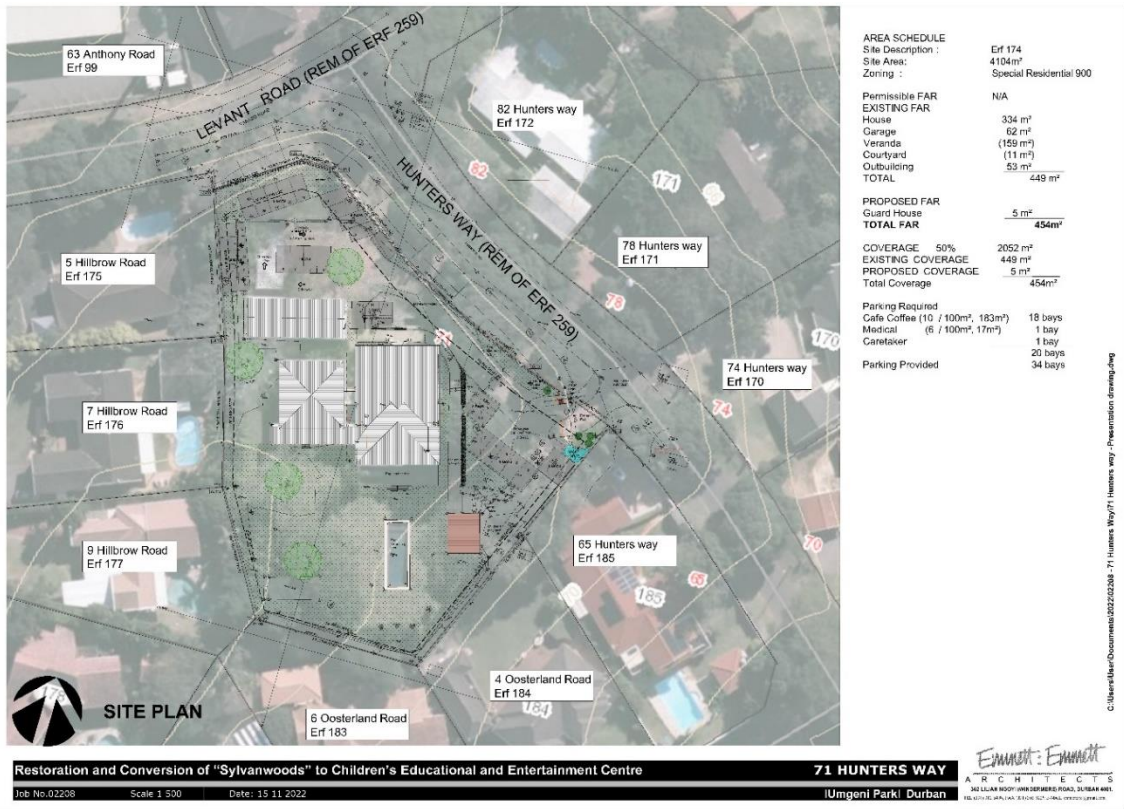
The reality of Umgeni Park today. This is the densest suburb of Durban North. The only areas which are not developed are those that are too steep for building. Sylvanwoods blends in with the heights of the neighbouring developments as they are all low rise.

8.3. Conversion to a Children's Educational and Entertainment Centre

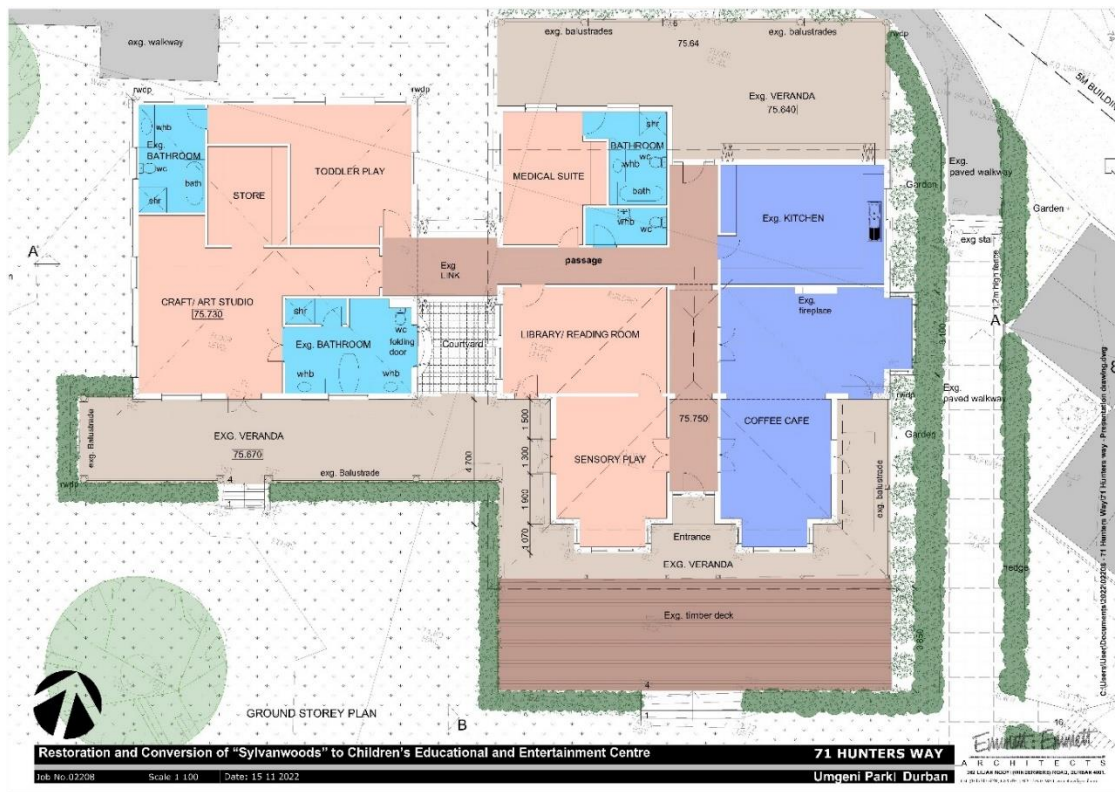
Minor alterations are required to convert the buildings to a Children's Educational and Entertainment Centre. The extent of the gardens is important to enable sufficient space for children's play. The new function will enable more people to appreciate this fine listed building and the grounds, remembering a bye gone era where this house was a part of a much bigger smallholding.

Ancillary to the Children's Centre is the provision of parking to accommodate 34 cars. Smaller children still require the supervision of a parent or carer. To this end, there will be a coffee café created in the historic part of the house. Parents can also sit on the south facing veranda and enjoy the views to Durban and the harbour, as in days since 1905, while watching their children play.

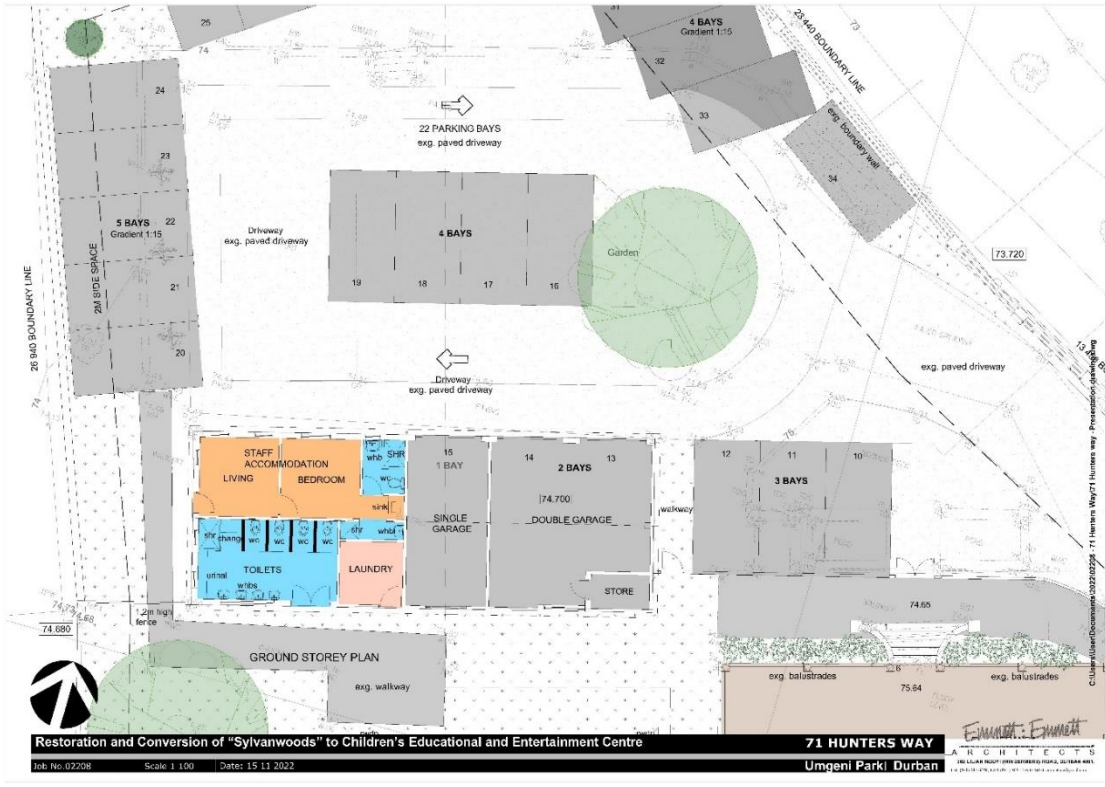
A guard house has been added to the side of the gate to improve security. The gates have been widened to accommodate an increased volume of cars.



Site Plan.



Ground storey plan of the original house and extensions.



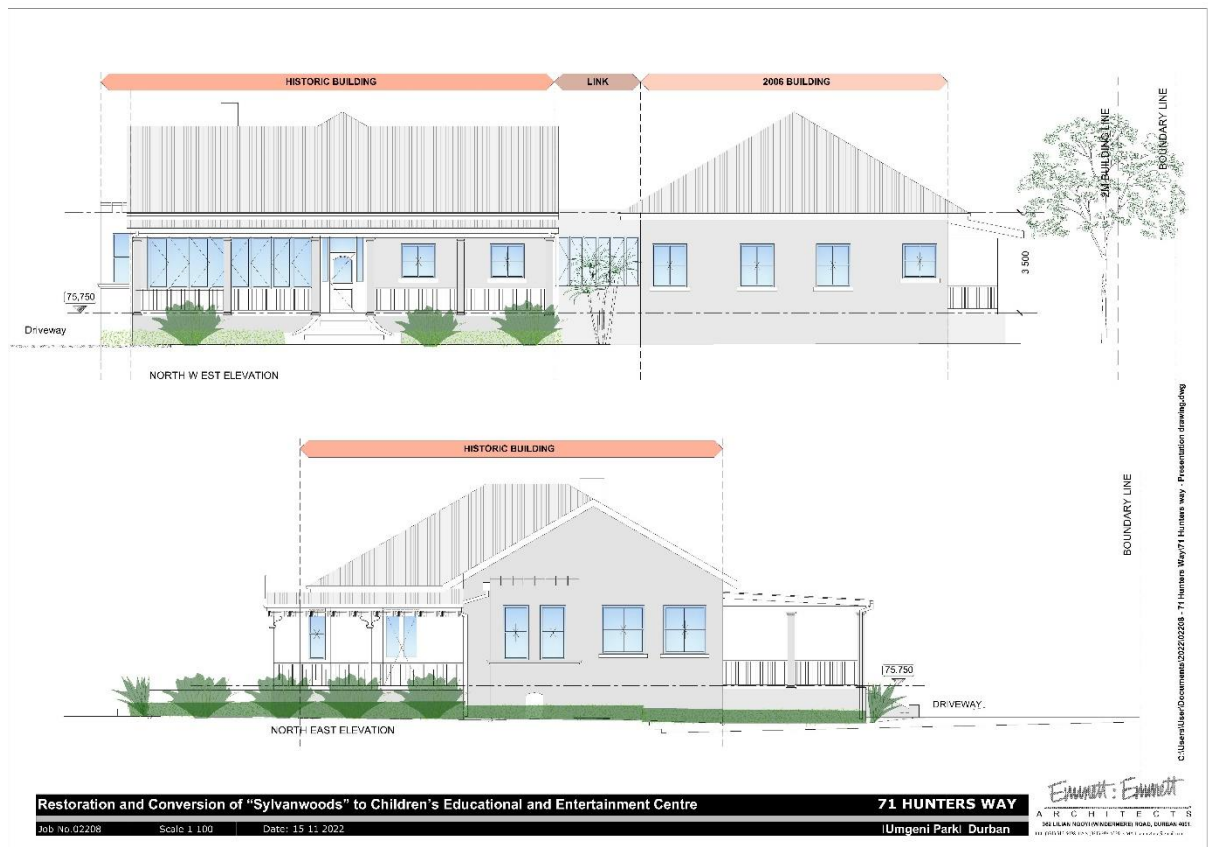
Increased amount of parking at existing parking court.



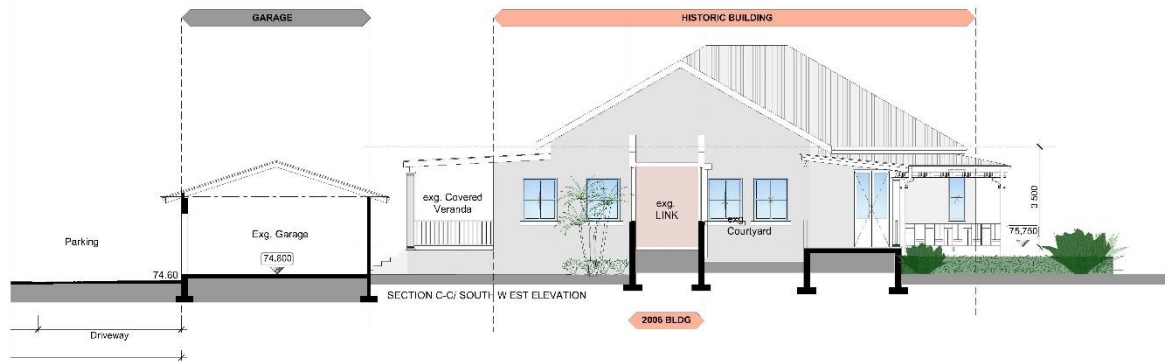
Further parking to the side of the entrance gate. A guard house has been added to increase security.



Section A-A and South East Elevation



North West Elevation and North East Elevation.



Section through historic house.

9 Statement of significance

9.1 Local heritage significance.

The building is protected as a Grade III B Heritage Resource:.

'Sylvanwoods' is a significant Edwardian farmhouse in vernacular style, single storied with verandas on three sides. It has architectural and historical significance for being a surviving farmhouse of that era as well as being the historical connections to the site of a prominent Natal family from 1870 to 2002.

The building has been graded 3B. This should be upgraded to 3A for the following reasons:

HIGH LOCAL INTRINSIC VALUE

- Historical fabric mostly intact or reversible.
- Fabric possesses very strong evidence of historical layering.
- Most elements of construction are authentic.
- Fabric dates to early origins of the place.
- Rare or excellent example of its type or form.
- Clearly illustrates an historical period in the evolution of a place.
- Clearly illustrates the key uses and roles of a place over time.

ASSOCIATIONAL VALUE

- Highly significant association with a person or group.

- Highly significant association with historical events or activities.
- Highly significant association with key uses or roles of a place.
- Highly valued in the public memory.
- Highly valued in association with living heritage.

CONTEXTURAL SIGNIFICANCE.

- Historical and / or a visual / spatial landmark within a place.

From: *Assessing Significance and Grading*; Melanie Attwell, Graham Jacobs.

10. Recommendation

To ensure the future preservation of this valuable landmark, it is recommended that the KwaZulu-Natal Amafa and Research Institute issues a permit for the minor alterations and conversion of the property to a Children's Educational and Entertainment Centre.

References

[Kearney, B] (1974). *A first listing of the important places and buildings in Durban*. Durban City Council and Natal Provincial Institute of Architects.

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