DOI 353onMain Project

From: David Bernstein <david@resolutehr.co.za>
Sent: Thursday, 13 November 2025 13:32
To: DOI 353onMain Project
Cc: Baby
Subject: Objection

Dear Sir/Madam

I write as an Interested and Affected Party and immediate neighbour to the 353 on Main (Tafelberg) Precinct. I reside at inHerbert Road, directly abutting the site along its upper western boundary, within the Sea Point Heritage Protection Overlay Zone.

I hereby lodge a formal objection, on heritage grounds, to the proposed subdivision and redevelopment of the 353 on Main (Tafelberg) Precinct and to the current Heritage Impact Assessment (HIA) process as advertised.

This objection is submitted in terms of sections 27 and 38 of the National Heritage Resources Act, 25 of 1999 ("NHRA"), and with reference to the HWC case number and public participation notice referred to in the draft HIA documentation.

1. My interest and standing

1. I am an owner-occupier in Herbert Road, which directly adjoins the upper portion of the 353 on Main site along Herbert Road. My property falls within the declared Sea Point Heritage Protection Overlay Zone and is part of the historic residential fabric that frames the Provincial Heritage Site (PHS) on Erf 1424.

2. I am therefore directly affected by any change to the character, fabric, and setting of the PHS, as well as by any intensification and redevelopment of the site that alters the established townscape, views, light, and the public realm along Herbert Road, Heathfield Road, The Glen and Main Road.

3. I have taken care to read the contextual analysis, heritage baseline/scoping study, Notification of Intent to Develop (NID), preliminary geotechnical report, vision and objectives report and the associated statutory correspondence made available, and I participate in this process as a well-informed neighbour, not on narrow "not in my backyard" grounds.

2. The site is a single, integrated Provincial Heritage Site

4. Heritage Western Cape has explicitly confirmed that it "deems the site in its entirety to be formally protected as a Provincial Heritage Site" in terms of section 27 of the NHRA, by virtue of the 1989 declaration as a National Monument.

5. This means that the PHS status does not apply only to the historic Ellerslie/Tafelberg school building, but to all structures and associated landscape elements across consolidated Erf 1424, including Wynyard Mansions, the free-standing buildings, the stone terraces and retaining walls, the mature avenue of fig trees and other trees, and the open green space that extends from Main Road up to Herbert Road.

6. The entire site also falls within the Sea Point Heritage Protection Overlay Zone, which recognises the broader townscape value of this part of Sea Point and requires heightened care in managing change.

7. Against that statutory backdrop, the current approach of carving the PHS into a retained "school/social services" portion and a separate "remainder" or development platform fundamentally misunderstands the nature of the heritage resource. The PHS is a single, integrated cultural landscape, not a spare piece of land next to a monument.

3. Significance lies in the cultural landscape, townscape and setting

8. The heritage documentation correctly notes that this is the only substantial green, park-like space along Main Road in Sea Point, with a deep setback behind a historic masonry wall, framed by mature trees and terraces. This is not incidental open space – it is a key component of the site's cultural landscape and of the Main Road streetscape.

9. The site preserves stone boundary walls, terracing and traces of 19th-century occupation, together with the later school complex and its recreation fields, which together tell a 200-year story of urban development on the slopes between Signal Hill and the Atlantic.

10. The contextual report also records that the surrounding fabric is predominantly low- to mid-rise (1–4 storeys) with a coherent grain, even where later apartment buildings have replaced earlier villas and cottages. The height, rhythm and massing of buildings in and around Herbert Road, Heathfield Road, The Glen and Main Road are a crucial part of the heritage significance of the broader HPOZ.

11. The site also gives exceptional views of Lion's Head and the mountain slopes from Main Road, as well as views back across the site from Herbert Road and the upper streets. These view corridors are identified in the baseline as elements that "must be enhanced and protected".

12. In short, the heritage value here resides not only in individual buildings but in the relationships between buildings, landscape elements, views and surrounding streets. Any HIA must start from that broader cultural landscape level and then determine what form, if any, of intensification is compatible with retaining that significance.

4. Wynyard Mansions and the Herbert Road edge

13. I note that an earlier heritage report for Wynyard Mansions (Van Graan, 2022) concluded that the building had "no heritage value". The more recent heritage baseline report explicitly rejects this, finding Wynyard Mansions to be at least Grade 3C and recommending further research and consultation (including with Docomomo SA) to understand its value and test options before any decision on its future is taken.

14. Wynyard Mansions is not an isolated structure: it helps mediate between the lower school buildings and the fine-grain residential properties on Herbert Road, including my home. It is part of the layered story of social rental housing and changing apartment typologies in Sea Point, which itself forms part of the broader socio-spatial heritage of this area.

15. Any development concept that assumes or requires wholesale demolition of Wynyard, or its replacement with significantly taller or bulkier structures on the Herbert Road edge, is inconsistent with the PHS status and with the cautious, contextual stance adopted in the heritage baseline.

16. From my vantage point at Herbert Road, any over-scaled, high-rise replacement along this edge would dramatically alter the setting of my property and the PHS as a whole, overshadowing the street, causing traffic and pedastrian issues, increase secruity risks and lead to degrading the intimate residential character of Herbert Road. That is a direct heritage impact on the HPOZ and on the setting of the PHS, not merely a private amenity issue.

5. Over-intensification and incompatibility with the heritage and townscape context

17. The Vision & Objectives documentation drives a very high-intensity, transit-oriented development model, explicitly targeting a nett density of approximately 250 dwelling units per hectare, buildings of 3–11 storeys, and a minimum of 200 "affordable" units, alongside market units and commercial activation.

18. I support the principle of well-located affordable housing and spatial redress. However, the specific built-form envelope currently being promoted appears to be driven primarily by maximising yield and "optimising" the site, with heritage treated as a constraint to be managed at the margins (through setbacks and partial retention of some green space), rather than as the primary organising principle for development.

19. A 3–11 storey mixed-use envelope of ±250 du/ha on this particular PHS, if applied across most of the "remainder" portion, would:

    - fundamentally change the scale and grain of the PHS relative to the surrounding streets;
    - overwhelm the historic school complex and its open forecourt;
    - erode key view corridors to and from the site;
    - destroy much of the existing park-like character and continuous tree canopy; and
    - create a canyon-like condition along parts of Herbert Road, Heathfield Road and the internal interfaces with the school portion.

20. Section 38(3)(d) of the NHRA requires that the HIA evaluate impacts "relative to the sustainable social and economic benefits" of the development. There is no indication that alternative, less intensive development scenarios, with lower heights and more sympathetic terraced or courtyard forms, have been properly drawn up and tested against the heritage resource. Instead, the current concept reads as a single, density-maximising option.

21. It is therefore not possible, at this stage, for HWC or interested parties to conclude that the claimed social benefits cannot be achieved with a materially lower level of heritage harm.

6. Threats to below-ground heritage, terraces, boundary walls and trees

22. The preliminary geotechnical report confirms shallow greywacke bedrock beneath variable fill and rubble, with no on-site material of sufficient quality for structural fill and an expectation of "soft to intermediate" excavation conditions, with the possibility of more demanding conditions at greater depth.

23. Large-scale mixed-use development, with parking, services and foundations for 3–11 storey buildings, will inevitably require deep excavation and extensive earthworks, particularly if basement parking is proposed.

24. Such earthworks pose obvious risks to:
    - early stone terraces and boundary walls;
    - any surviving archaeological deposits from 19th-century occupation;
    - the root systems and long-term stability of the mature fig avenue and other significant trees; and
    - the stability of the historic masonry wall along Main Road and the Herbert Road edge.
25. The heritage documentation to date (as made available) refers only to high-level archaeological inputs. In my view, a full Archaeological Impact Assessment, including test trenches in areas of proposed deep excavation, is required before any HIA can credibly conclude that impacts on archaeological and landscape heritage are acceptable and mitigation feasible.

7. Process and public participation concerns

26. HWC's response to the NID requires, in addition to the HIA, a townscape study, visual impact assessment, socio-historical study, architectural analysis, archaeological assessment and extensive public participation.
27. Given the site's highly contested recent history (including the Tafelberg court cases, Reclaim the City and Ndifuna Ukwazi's campaigns, and the shifting policy context around inclusionary housing), this is not a routine redevelopment proposal. It is a test case for how the Province uses its inner-city assets and how it balances spatial justice and heritage responsibilities.
28. One "open house" session and a 30-day comment window on a complex, technical set of documents are, in my view, inadequate for a site of this significance and controversy. There should be:
    - clear, non-technical summaries of the heritage significance and the various development options;
    - accessible visualisations (sections and 3D views) showing the full massing of any proposed development from Herbert Road, The Glen, Heathfield Road and Main Road; and
    - a further round of public engagement once genuine alternatives have been developed in response to this first round of comments.
29. As a neighbour and Interested and Affected Party, I therefore object to any attempt to treat this HIA process as a formality. It must be iterative, transparent, and responsive to the heritage issues raised.

In light of the above, I request that:

30. Heritage Western Cape does not approve the current HIA or any land-use / subdivision application that relies on it, and instead requires substantial revision of the HIA to:

- provide a full, integrated statement of significance for the PHS at cultural landscape and townscape level;
- model and test genuine alternative development scenarios, including lower-intensity, context-sensitive options compatible with the HPOZ and PHS status;
- undertake a detailed townscape and visual impact assessment with proper massing studies from all surrounding streets, including Herbert Road;
- commission a full Archaeological Impact Assessment, with test excavation in areas of proposed deep excavation; and
- develop a Conservation Management Plan for the entire PHS (not only the school complex) before any subdivision or partial alienation is approved.

31. Conditions should be formulated upfront to ensure maximum retention and protection of:
    - the historic stone boundary walls and terraces;
    - the mature fig avenue and other significant trees;
    - the open green forecourt and park-like quality along Main Road; and
    - key view corridors to and from the site.
32. No land-use or subdivision approvals for the "remainder" of Erf 1424 should be granted by the planning authority until HWC has considered a revised, robust HIA which properly balances spatial justice objectives and the protection of this Provincial Heritage Site, and until Interested and Affected Parties have had a fair opportunity to comment on the alternative development scenarios.

I reserve my rights to supplement and expand on this objection as further information, including any revised HIA and detailed development proposals, becomes available.

Yours faithfully

David Bernstein