



OFFICE 703
BUITEGRACHT CENTRE
125 BUITEGRACHT ST
CAPE TOWN 8001
tel: +27 (0) 21 012 5094
www.nu.org.za

C/o: jens@nu.org.za; buhle@nu.org.za; inga@nu.org.za

Our Ref: NU26/04/01

2 April 2026

To: Western Cape Department of Infrastructure
27 Wale Street
Cape Town
By email: 353onMain@westerncape.gov.za

To whom it may concern,

**RE: CONCERNS REGARDING 353 ON MAIN SEA POINT FINAL HERITAGE IMPACT
ASSESSMENT PROCESS**

1. INTRODUCTION

- 1.1 Ndifuna Ukwazi is a non-profit activist organisation and law centre that combines research, organising and litigation in campaigns to advance urban land justice in Cape Town. Our primary mission is to expand and protect access to affordable housing towards building a more just and equal city.
- 1.2 Ndifuna Ukwazi has been involved in litigation, research and organising work around evictions, relocations, rental housing, the allocation of state-subsidised houses, and the promotion of social, transitional and inclusionary housing. We have been involved in a series of important court cases dealing with land occupations, evictions, the provision of alternative accommodation, and the state's constitutional and legislative obligation to combat spatial apartheid and promote spatial, economic and racial justice and equality through expanding access to affordable housing.
- 1.3 Ndifuna Ukwazi wishes to raise serious concerns with the Western Cape Department of Infrastructure (DOI) regarding decisions taken

Ndifuna Ukwazi is
a not-for-profit trust
(IT 540-2011)
(NPO 094-737)

Board of trustees:
Kholofelo Molewa
(Chair)
Nomfundo Ramalekana
Mercy Brown-Luthango
Michael Evans
Ruth Hall
Shuaib Manjra
Ramabina Mahapa
Seham Areff



as part of the submission of the 353 on Main in Sea Point Final Heritage Impact Assessment.

2. PREFERRED VIABLE AND FEASIBLE DEVELOPMENT OPTION

- 2.1 The preferred viable and feasible development option was informed by various informants, including baseline assessments, inputs received from stakeholders during the preliminary stakeholder engagements (May-July 2025), design indicators, and various impact assessments as indicated in a report titled "[Preferred Viable and Feasible Development Concept](#)", dated 29 October 2025.
- 2.2 The preferred development option, Concept Design 3D, proposed the construction of an 11-storey building on Parcel 1 that is Open Market Residential with retail on the ground floor. The remaining buildings proposed for Parcels 2 and 3 are 4 storey walk-up social housing arranged around multifunctional courtyards. It is envisioned that these blocks have positive street interfaces, but that pedestrian access is from the courtyards. In this concept, Affordable Housing is omitted. The report noted that "Option 3D was presented to the Interested and Affected Parties and recognised by all Project Stakeholders as the option that maximised the site potential and provides the largest number of social housing units". It also noted that "In terms of height, this option is supported based on initial discussions with CCT, Interested and Affected Parties, and the Professional Team (planning, urban design, heritage and visual design indicators). The detailed design guidelines will guide the street interfaces and appropriate setbacks".
- 2.3 This preferred Option 3D was the basis for the [draft Heritage Impact Assessment](#), dated 11 November 2025, which was open for public comment for a 30-day period that ended on 13 December 2025. It was also the basis for an Open House event on 18 November 2025 aimed at providing the opportunity to clarify the project proposal, the HIA, and the implications for impacted heritage resources. The rationale for Option 3D was laid out on page 91 of the draft HIA.

3. FINAL HERITAGE IMPACT ASSESSMENT PROCESS

- 3.1 On 27 February 2026, an email was received by registered interested and affected parties, including our organisation (see attached Annexure A), stating that the Final 353 on Main (Talberg) Precinct Heritage Impact Assessment had been submitted to Heritage Western Cape for consideration at their next meeting to be held on 11 March 2026. The email went on to state that:

The documents are available for download from the following link by visiting the 353 on Main webpage <https://www.westerncape.gov.za/infrastructure/353-main-sea-point>

- 3.2 The relevant webpage has a heading stating “Final Heritage Impact Assessment” with a link below to the [353onMain Sea Point Final HIA](#). This file titled “Final HIA” and dated 26 February 2026 was downloaded by our organisation. As with the draft HIA, Option 3D was laid out on page 91 of the document.
- 3.3 As we did not take part in the online HWC meeting on 11 March 2026, we were shocked to discover via a GroundUp media article on 13 March 2026, that following several objections during the public participation process, the proposed building height of the building abutting Main Road containing open market residential units was reduced from 11 storeys with 481 units to 8 storeys with 440 units. The article also explained that this reduction in height would also mean a lower number of open market and social housing units on the site.
- 3.4 In order to understand the basis and rationale for the DOI and project team’s decision, we undertook to wait for the HWC meeting minutes, and when these were released and did not provide clarity, we began going through all the documents uploaded to the 353 on Main webpage. It is only at this point that we discovered a report, under the link “353onMain Supplementary report” titled “Redevelopment of 353 Main Road Sea Point Supplementary Report” and dated 25 February 2026 (the day before the file titled “Final HIA”).
- 3.5 This link titled “353onMain Supplementary report” was sandwiched between many other links and below an explanation that the Final 353 on Main (Tafelberg) Precinct Heritage Impact Assessment had been submitted to Heritage Western Cape. This explanation text made no mention that the preferred viable and feasible development had been revised in the final HIA (and that this should be noted prior to the HWC meeting), nor did it direct recipients to the Supplementary report on the 353 on Main webpage, and neither did the email received by registered interested and affected parties on 27 February 2026, as referred to in point 3.1 above. These can be construed as either serious oversights or as purposefully disingenuous actions.
- 3.6 The Supplementary report, following the table of contents, contains 44 public comments over 14 pages, and the respective responses by the Project Team. Of these 44 comments (1 is a City of Cape Town duplicate), 22 are noted as mentioning height (around 50%), and of these 22, 16 are identified as private residents (10 as “Immediate neighbour/affected party”), 5 are unidentified and 1 is the City’s Environmental and Heritage Resources Management (EHRM) branch. Thus only 10 of 43 comments (23%) regarding height are

from an “Immediate neighbour/affected party”. It should be noted that the official representative ratepayer body for the area, the Sea Point, Fresnaye and Bantry Bay (SFB) Ratepayers & Residents Association made no comments regarding height.

- 3.7 It is questionable as to why the DOI and the professional team would choose to weight 10 comments by members of the public (who are not built environment professionals or public sector officials) regarding height in such a way that it would influence them to change the height of the development concept from 11 to 8 stories along the Sea Point Main Road street edge, which height reduction by their own admission now affects the financial viability of the development: Response to Comment 39 (on page 14) states that “the submission of the alternate lowered height proposal is a direct response to negative comments even though this impacts financial feasibility, cross-subsidisation and delivery of social housing.”
- 3.8 We now turn to the Visual Impact Assessment, dated November 2025 (Revision 2) which was conducted based on the preferred viable and feasible development Option 3D. In this report it must be noted that in Section 5 on page 52 in *Figure 5.1: Viewshed and view shadow areas for the proposed development*, that the most affected properties are those along Main, Milner, Herbert, Heathfield and The Glen Roads. Ironically, the corresponding Figure 5.1 for the proposed Concept Option 4 (reduced 8 storey height) on page 54 of the Supplementary report, shows an almost identical viewshed and view shadow areas. The visual analysis goes on to assess visual impacts from eight prominent viewpoints that were identified towards the site. The report notes that “these views provide an indication of the existing vistas at the location where the most pronounced visual change would be experienced in the landscape or where graded heritage resources would be impacted upon”.
- 3.9 The Findings and Recommendations in section 7 of this VIA report state that (quoted in full):

The overall finding of this assessment is that the proposed development's scale and massing, at a broader townscape level, are largely consistent with the established character of the Sea Point urban fabric. The townscape analysis confirms that the 11-storey height on Parcel 1 is an appropriate response to the dense, "urban wall" typology of Main Road and remains subordinate to the taller high-rise buildings along the beachfront. The stepping down of the scale to four storeys on Parcels 2 and 3 is a critical and appropriate design decision, responding to the finer-grain, lower-rise residential context towards Signal Hill. When viewed from a distance, such as the Sea Point Promenade (Viewpoint 6), the proposal integrates well with the existing urban skyline and aligns with the principles set out within the CoCT's Tall Building Policy and the Table Bay DSDP. In addition to this, viewing the proposal from an elevated vantage point (Viewpoint 5) shows that it integrates into

the existing urban environment and does not significantly impact the primary sea view or the horizon line. The change is noticeable but does not fundamentally conflict with the overall character.

3.10 The report then goes on to note that:

Despite this acceptable townscape fit, high-impact visual intrusions at the local, street-level scale were identified as part of the visual analysis. Primary examples of this can be seen in Viewpoint 1 [from The Glen Road, looking in a north-westerly direction, approximately 15m from the site] and Viewpoint 7 [50m from the site, looking in a south-westerly direction down Sea Point Main Road] where VAC [Visual Absorption Capacity] is Low and Visual Exposure is High. The Impact Assessment rates both the Construction Phase and the Operational Phase as having a High (negative) impact prior to mitigation. The high operational impact is driven by several key factors identified in the Visual Analysis:

- *Intrusion on Residential Streets: The 4-storey massing on Parcel 3 will have a High Visual Exposure and High Visual Intrusion when viewed from The Glen (Viewpoint 1), fundamentally and severely altering the scale and character of this low-rise residential street.*
- *Loss of Scenic Views: The 11-storey massing on Parcel 1 will transform the existing view corridor from Main Road towards Lion's Head, which Viewpoint 7 identifies as a "loss of scenic resource". This view corridor is also partially diminished from Viewpoint 4.*

3.11 The recommended visual mitigation measures for Viewpoint 1 include increasing the building setback from the site boundary and articulation of the building's mass among others. The recommended visual mitigation measures for Viewpoint 7 to further reduce the visual impact include further articulation of the building's mass; retention of existing and the planting of new, medium to large street trees along the Main Road frontage; as well as other material and landscaping recommendations. The report concludes that "while the visual impact cannot be fully avoided, this Impact Assessment determines that it can be reduced from a High (negative) to a Medium (negative) significance, provided that the mitigation measures outlined... are strictly implemented as conditions of approval".

3.12 The report therefore considered the visual impacts of the 11-storey Option 3D acceptable with mitigation, and recommended that "a new, comprehensive VIA must be commissioned and submitted as part of any formal, detailed development approval process. That future assessment will need to re-evaluate the specific architectural design, including façade articulation, modulation, materiality, lighting and landscaping to ensure the above mitigation measures proposed in this conceptual phase are successfully translated into a final built form that is sensitive to this significant heritage and visual context.

3.13 Now to turn to the Supplementary report: on page 39 of this report under the heading of “Updated Findings and Recommendations of the VIA”, which is drawn from a revised Visual Impact Assessment, dated February 2026 (Revision 4), and which was conducted based on the new reduced height Option 4, it is stated (quoted in full, emphasis and writer’s comments added):

Despite this acceptable townscape fit, high-impact visual intrusions remain a concern and will still require appropriate mitigation. While these high impact visual intrusions were previously a concern at the local, street-level scale, the revised Concept 4 proposal has taken steps to reduce impacts and mitigates these issues to varying degrees from certain vantage points.

Primary examples of this can be seen in Viewpoint 1, which remains unchanged with High visual intrusion and Viewpoint 7 where despite the reduced height of the proposal, VAC remains Low and Visual Exposure remains High. This results in a marginal, yet significant decrease [this is a contradiction – writer’s note] in visual intrusion, reduced from High to Moderate to High as the Concept 4 proposal feels less visually overpowering [this is subjective – writer’s note], representing a distinct improvement in how the built form interfaces with the public domain when compared to the original 11 storey proposal. The Impact Assessment continues to rate the Construction Phase as having a High (negative) impact prior to mitigation. However, the Impact Assessment now rates the Operational Phase impacts as Medium (negative) prior to mitigation, improving to Low (negative) with mitigation.

Localised High operational impacts are still identified in the Visual Analysis:

- Intrusion on Residential Streets: The 4-storey massing on Parcel 3 will remain to have a High Visual Exposure and High Visual Intrusion when viewed from The Glen (Viewpoint 1), fundamentally and severely altering the scale and character of this low-rise residential street.
- Loss of Scenic Views: While the reduction in height reduces the “looming” effect previously identified [this was not identified or noted in the previous VIA version – writer’s note] and the proposed scale now relates more sympathetically to the mature street trees and the pedestrian realm [the previous VIA version states that the mature trees serve to effectively screen the 11-storey building – writer’s note], the 8-storey massing on Portion 1 will continue to transform the existing view corridor from Main Road towards Lion’s Head, which Viewpoint 7 identifies as a “loss of scenic resource”. This view corridor is also partially diminished from Viewpoint 4, albeit to a lesser degree because of the reduced Portion 1 height.

...

However, the Concept 4 revision to 8 storeys has successfully addressed the primary visual conflicts associated with the Portion 1 proposal. This revision transforms the design from one that competed with its context [this was not the conclusion of the previous VIA version – writer’s note] to one that integrates more harmoniously within the receiving environment [the analysis above

contradicts this – writer’s note], *as a result, the residual impacts of the Concept 4 option are considered more acceptable within this urban context. However, strict implementation of the recommended visual mitigation measures can reduce the visual impact from a Medium (negative) to a Low (negative) significance.*

3.14 As can be seen from the underlined sections above, the reduced height Option 4 results in little to no improvement in visual impact. The most severe impact on surrounding residential streets (with reference to the comments regarding perceived impact by the 10 immediate neighbours/affected parties) is unchanged as the 4-storey massing on Parcel 3 will continue to have a High Visual Exposure and High Visual Intrusion. The impact on the view corridor from Main Road towards Lion’s Head will continue to be a “loss of scenic resource” and be transformed by the 8-storey massing on Portion 1, although now just slightly less. Most of the recently completed, under construction and approved taller buildings along Main Road in the vicinity of the site are between 9 and 11 storeys high, so they already block views of Lion’s Head (as do those along the promenade) and create a taller building precedent along the Main Road corridor.

3.15 In light of the above, the question must be asked: why lower the 11-storey building on Portion 1 to 8 storeys, significantly reducing the viability of the development, and the ability to maximise social housing on the site via cross-subsidisation from market-rate housing, when “Option 3D was presented to the Interested and Affected Parties and recognised by all Project Stakeholders as the option that maximised the site potential and provides the largest number of social housing units”?

3.16 In analysing the City’s Environmental and Heritage Resources Management (EHRM) branch comment (Comment 33), it again becomes clear that there are inconsistencies. The full comment (on pages 84 to 87 of the Supplementary Report) includes the following:

The photomontages in Section 10.4.3—particularly Viewpoints 4, 7, and 8—are useful in illustrating that the current height proposal is inconsistent with the established character of 6–9 storey development along this portion of Main Road (as indicated in the above screenshots).

3.17 The screenshots used not only indicate that most buildings in the vicinity along Main Road are 7-9 storeys (thus only 2 to 4 storeys lower than the proposed 11-storey building) but are also outdated as they do not indicate the recently completed, under construction and approved taller buildings along Main Road in the vicinity of the site that are between 9 and 11 storeys high, which create a taller building precedent along the Main Road corridor.

3.18 The branch’s comment also states that (with writer’s comments added):

One of the character-defining elements of Main Road and the heritage protection overlay zone is the presence of apartment buildings along this portion of Main Road. The proposed height of 11 storeys will, however, obscure the remainder of the site—both the new work and the school building [this comment is arbitrary as this would be the case for any building on Portion 1 taller than 4 storeys, and is still the case with the 8-storey Option 4 – writer’s note]—and will not enhance the Main Road streetscape as it is not in keeping with the established character of the area [this is an arbitrary and subjective comment, is contradicted by the VIA analysis and recommendations, and is clearly not aligned with the existing and emerging 7-11 storey context along the Main Road corridor – writer’s note]. To present a more viable solution for the development, it is suggested that the height of the apartment block on Portion 1 be limited to a maximum of eight storeys [once again arbitrary and subjective; viable from a heritage perspective? Based on the above, how has lack of viability been firmly established based on evidence? – writer’s note].

3.19 The City’s EHRM branch comments therefore appear inconsistent with both the VIA analysis and recommendations, rely on outdated context, and appear arbitrary and subjective. Since the Visual Impact Assessment, dated November 2025 (Revision 2) considered the visual impacts of the 11-storey Option 3D as acceptable with mitigation, why was this defensible position given up by the DOI and the professional team in the face of 10 (apparently NIMBY) comments by members of the public (23% of all comments received), when the SFB Ratepayers & Residents Association clearly had no issue with the height, and when the City’s EHRM branch comments serve only as a recommendation (they are a commenting, not regulatory body), and appear to be inconsistent?

4. CONCLUSION

4.1 We respectfully request an urgent meeting with the DOI and the professional team to discuss our concerns, and the issues raised in this letter. We are available at your earliest convenience.

4.2 We reserve the right to take further action, if required.

Yours faithfully,

Ndifuna Ukwazi

(Per: Jens Horber, Researcher)

(Per: Buhle Booi, Head of Political Organising and Campaigns)

(Per: Inga Dyantyi, Attorney)

Annexure A



OFFICE 703
BUITENGRACHT CENTRE
125 BUITENGRACHT ST
CAPE TOWN 8001
tel: +27 (0) 21 012 5094
www.nu.org.za



Jens Horber <jens@nu.org.za>

Fwd: DOI 353onMain, Sea Point (Tafelberg) – Notice of submission of Final HIA to HWC

Jens Horber <jens@nu.org.za>
To: Jens Horber <jens@nu.org.za>

30 March 2026 at 17:49

----- Forwarded message -----

From: **DOI 353onMain Project** <353onMain@westerncape.gov.za>

Date: Fri, 27 Feb 2026 at 11:27

Subject: DOI 353onMain, Sea Point (Tafelberg) – Notice of submission of Final HIA to HWC

To: DOI 353onMain Project <353onMain@westerncape.gov.za>

Dear Interested and Affected Parties for the proposed 353 on Main (Tafelberg) Precinct subdivision and redevelopment:

This email serves as notice to inform you that the Final 353 on Main (Tafelberg) Precinct Heritage Impact Assessment has been submitted to Heritage Western Cape for consideration at their next meeting to be held on 11 March 2026.

The documents are available for download from the following link by visiting the 353 on Main webpage via: <https://www.westerncape.gov.za/infrastructure/353-main-sea-point>

HWC has been copied into this e-mail. HWC will send notification of the IACom agenda and request confirmation of those who wish to attend online in order to be added to the WhatsApp notification group. The meetings are held via MS Teams. The link will be made available by HWC prior to the meeting.

Kind Regards / Vriendelike Groete

353 on Main Project Office

Department of Infrastructure

Chief Directorate: Economic Hub

Western Cape Government

Email: 353onMain@westerncape.gov.zaWebpage: <https://www.westerncape.gov.za/infrastructure/353-main-sea-point>**Western Cape
Government****FOR YOU**

Be 110% Green. Read from the screen.

"All views or opinions expressed in this electronic message and its attachments are the view of the sender and do not necessarily reflect the views and opinions of the Western Cape Government (the WCG). No employee of the WCG is entitled to conclude a binding contract on behalf of the WCG unless he/she is an accounting officer of the WCG, or his or her authorised representative.

The information contained in this message and its attachments may be confidential or privileged and is for the use of the named recipient only, except where the sender specifically states otherwise.

If you are not the intended recipient you may not copy or deliver this message to anyone."