

**APPROVED DMINUTES OF THE MEETING OF
HERITAGE WESTERN CAPE,
APPEALS COMMITTEE**
**Held on Wednesday, 8 June 2022 via Microsoft Teams,
scheduled for 08:30**



Opening and Welcome

The Chairperson, Ms Katherine Dumbrell officially opened the meeting at 08:30 and welcomed everyone present.

Attendance

Committee Members:

Ms Katherine Dumbrell (KD)
Dr Andre van Graan (AvG)
Dr Antonia Malan (AM)
Dr Nicolas Baumann (NB)
Mr Stuart Hermansen (SH)

Members of Staff:

Ms Penelope Meyer (PM)
Ms Corne Nortje (CN)
Ms Stephanie Barnardt (SB)
Mr Reagon Fortune (RF)
Ms Khanyisile Bonile (KB)
Ms Natalie Kendrick (NK)
Ms Maureen Solomons (MS)
Ms Chane' Herman (CH)
Ms Stephanie Barnardt (SB)

Visitors:

Item 10.1

Mr Guillaume Nel

Ms Willene Cordier

Item 10.2

Mr Ori Saban
Mr Ian Pretorius

Apologies

None

3. Absent

None

4. Approval of Agenda

4.1 Approval of Agenda dated 8th June 2022.

The Appeals Agenda dated 8th June 2022 was approved subject to the addition of 8.6: Ratification of Email Decision.

5. Approval of Minutes of Previous Meeting

5.1 Appeals Minutes dated 11th May 2022.

The Committee resolved to approve the minutes dated 11th May 2022.

6. Disclosure and Conflicts of Interest

None.

7. Confidential Matters

None.

Administrative Matters

8.1 Outcome of the Tribunal Committees and Recent Court Decisions

None.

8.2 Report back from HWC Council

The Chairperson reported back on the Council meeting held on 27 May 2022 and requested that members start to identify issues to be raised at the next Council meeting to be held on 26 August 2022.

8.3 Site Visits Conducted

ITEM 10.2: Proposed Alteration and Additions on Erf 2042, 25 Avenue Le Sueur, Cape Town-(S.34).

8.4 Potential Site Visits

None.

8.5 Discussion of the Agenda

8.6. Ratification of decision by email

The Committee unanimously ratified the decision taken by email on 16 May 2022:

**Proposed Alterations and Additions on Boschendal Cellar Building, OFF R310, Dwars River Valley Farm10, 167 Stellenbosch
HM/CAPE WINELANDS/ STELLENBOSCH / BOSCHENDAL /PORTION 10 OF FARM167**

FURTHER REQUIREMENTS:

The proposed development impacts not only on the historic werf itself, but on the broader farm context as an iconic historic farmstead in the Dwars River Valley.

The principle of upgrading and expanding its commercial and tourism facilities in order to sustain its conservation and semi-public use is supported from a heritage management perspective, however, the appropriate siting, scale, massing, form and design of new development is informed by the heritage indicators approved in 2013 which are still binding.

While the professional team and BELCom have considered the proposed development over a number of iterations, the following heritage design indicators have been overlooked:

New building development should be visually discrete from the R310 scenic corridor, primary werf and its main approach route.

The proposed development is visible from the entrance gate to the werf and for a section of the length of the werf.

Further requirement: The proposed development should be set back from the western edge so that it is not visible from the werf.

Retain the spatial dominance of the primary werf and hierarchy of subsidiary spaces.

The werf is not a stage set, a centrepiece, it is read and experienced 'in the round'. The homestead, for example, is not a façade facing the werf, but a complete building that offers a number of spatial experiences.

Similarly, when viewed from the ornamental/vegetable garden (which is an inserted layer in the landscape postdating the werf's active period), the pitched roof of the proposed development is visually dominant and it becomes the primary building, and the Wine Cellar cannot be 'read' so that, as one of the buildings that constitute the werf, it does not feature as an element in the eastern precinct. The adaptive re-use of recent times in the site's history has left the wine cellar "stylised" into a restaurant use. The Committee noted that the eastern precinct was originally more likely experienced by slaves and workers than owners and visitors and that the additional axis introduced by the invented formal potager garden has complicated the original Cape Dutch landscape-to-built form relationship.

Further requirement: The pitched roof should be removed so that at least the 'silhouette' of the Wine Cellar remains and serves to outline the edge of the historical werf.

New development should not erode its agricultural frame and visual-spatial relationship with the Dwars River.

The number of architectural screens within the proposed development impact directly on the visual/spatial relationship from the Wine Cellar across the landscape towards the Dwars River.

Further requirement: The interior spaces should be less retail orientated and more focussed on views through and from the Wine Cellar towards the Dwars River. Clear motivation for the need for each layer of screening should be provided, testing its necessity against this indicator.

New buildings should not contrast or compete with the historical buildings in terms of scale, massing, form and architectural treatment. They should be complementary but unmistakably contemporary. They should be background buildings, as unobtrusive and recessive as possible. [This last sentence was omitted from the recent S27 application and has serious design ramifications.]

The proposed development has a number of architectural elements: *inter alia* glazed roof, pitched roof, flat roof, steel pergola, glazed screens, masonry, timber screens, resulting in a building that is far from unobtrusive and recessive. Apart from the pitched roof, which is visually invasive as described above, the proposed development does not take its cues from its *genius loci* but is rather an assemblage of architectural elements compiled from any number of buildings in any number of locations, reflecting current stylistic trends rather than the *genius loci* of this historic werf.

Further requirement: The proposed development is to be redesigned to be more unobtrusive and recessive, and to take architectural cues from the historic werf. While it is noted that the design has progressed and much time has been spent on it, the Committee is of the opinion that there is merit in exploring a new strategy, removing the kitchen and understorey and thus being able to design something more recessive.

The roof silhouette (pitched or flat parapet roof) must be as unobtrusive as

possible, particularly in reflecting the horizontality of the landscape.

As described above, the pitched roof is visually invasive.

Further requirement: An alternative roof form should be explored that does not present itself as visually invasive.

Extensions should be limited to the existing footprint

The veranda of the proposed development extends beyond the existing footprint.

Further requirement: The design should be revised so that no built form extends beyond the existing footprint.

9 Matters Arising

9.1 Erven 117431&153536, 24A & 26 Main Road, Rondebosch HM/ CAPE TOWN METROPOLITAN/RONDEBOSCH/ERVEN 117431&153536 Case No: 21021903SM0223E

The Committee noted that the appeal had been withdrawn in writing.

TZ

10. New Matters

10.1 NID: PROPOSED WATER PIPELINE AND SEWER PIPELINE WILL FORM PART OF THE PROPOSED MOUNT PEARL RESIDENTIAL DEVELOPMENT ON PTN 3 AND 4 OF FARM 527, PTN 2 OF FARM 600, PTN 1 OF FARM 602, REMAINDER OF FARM 602, PTN 2 OF FARM 527, PTN 45 OF FARM 527, PAARL "HM/ CAPE WINELANDS/ DRAKENSTEIN/ PAARL/ PTN 3 AND 4 OF FARM 527, PTN 2 OF FARM 600, PTN 1 OF FARM 602, REMAINDER OF FARM 602,PTN 2 OF FARM 527, PTN 45 OF FARM 527 Case No: 22020820SB0218E

The appeal pack was tabled.

The appeal is against a HOMS decision.

Ms Stephanie-Ann Barnardt-Delport introduced the case.

For the Appellants, Mr Guillaume Nel and Ms Willene Cordier were present and took part in the discussion.

APPELLANTS presented, amongst others, the following arguments:

- The pipeline route is common to two properties (Farm 600 Calais being sensitive but approved; Farm 602 not sensitive).
- The NIDs were submitted together but should perhaps have been separated.
- The NID under appeal is essentially related to approval of the pipeline.

DISCUSSION

Amongst other things, the following was discussed by the Committee:

- There are two issues: the application process and the merits of the HOMs decision.
- HOMs asked for a VIA in relation to the Scenic Route.
- Farm 602 NID response was over 5 years ago and has lapsed: no further studies were required.

- The layout for the Farm 602 Mount Pearl development has since changed regarding the number of units proposed.
- The question is whether the proposed changes have the potential to impact on heritage.
- Visibility from the scenic route has not been illustrated. This needs further justification from the Appellant.

FURTHER REQUIREMENTS

The Appellant is to provide the following:

Farm 600 Calais:

A separate NID for the development on this Farm is required, to be submitted to HWC.

Farm 602 Mount Pearl

- A comparative drawing illustrating the SDP from the first NID submission for the site and the current SDP proposal in a manner that highlights the differences between the two.
- Visual confirmation that the site is not visible from the scenic drive.

DECISION

Proposed Municipal Sewer and Water pipeline.

No further studies are required in respect of the proposed Municipal Sewer and Water pipeline.

SB

10.2 Proposed Alteration and Additions on Erf 2042, 25 Avenue Le Sueur, Cape Town -(S.34) HM/CAPE METROPOLITAN/ CLAREMONT /ERF 2042 Case No: 22030908KB0310E

The appeal pack was tabled. The appeal is against a HOMs decision.

Ms Khanyisile Bonile introduced the case.

Mr Ori Saban (Architect for the owner) was present and took part in the discussion.

Dr A. van Graan read the site inspection report into the record and the photographs taken were shared on the screen.

APPELLANT

- Mr Ian Pretorius, on behalf of the Cape Town Heritage Foundation, indicated by email that he could not attend the meeting but requested the Committee to refer to the written appeal documents.

RESPONDENT presented, amongst others, the following arguments:

- The building has been substantially altered.
- Photographic evidence of the alterations was presented.

DISCUSSION

Amongst other things, the following was discussed by the Committee:

- The owners had proceeded with demolition of walls prior to approval.
- There was consultation with the City of Cape Town.
- The Committee noted the IIIB grading of the building.
- Given previous changes to the building, the grading of IIIB is questionable, as it is possible that the interior of the building was not inspected at the time of grading.
- The internal changes were approved previously.
- The north facing elevation had a clear hierarchy, which is now compromised.
- The Committee does not agree that the changes to the floor plan are "substantial".
- It is not appropriate for the Committee to interrogate finer details of the internal alterations.
- The appellant mostly relies on the internal issues. These are not substantially heritage issues. Care needs to be taken to distinguish between design principles and impact on heritage.
- The appeal grounds are more architectural than heritage related.
- The process with the City of Cape Town and I&APs has addressed most of the heritage related issues. Most of the objections raised by the Appellant have been addressed.

DECISION

The Appeal is dismissed.

KB

10.3 NID: Erf 5025, Leopard Rock Estate, Chanteclair, Onrus, Hermanus. HM/CAPE METROPOLITAN/ CLAREMONT /ERF 2042 Case No: 22042102AM0422E

The appeal was withdrawn in writing by the Appellant.

AM

12. Other Matters

13. Proposed next date of the meeting:

13 July 2022

14. Adoption of decisions and resolutions

The Committee resolved to adopt the decisions and resolutions dated 6 June 2022.

15. Closure: The meeting was adjourned at 11.18.

MINUTES APPROVED AND SIGNED BY:

CHAIRPERSON _____

DATE 13 July 2022

SECRETARY _____



DATE 13 July 2022