

as a result respond inadequately to the site and its context.' What is disturbing is that, in terms of the CoCT By-Law of 2015, pre-application meetings between the development proponents and the appropriate CoCT officials were required and have taken place in this instance. The single one-page minutes provided by the development proponents seem to reflect that there was not strong resistance to the proposals from spatial planning, heritage resources management or urban design CoCT officials. Precisely what consultations between the development proponents and CoCT officials covered remains a mystery to objectors, as we have not been afforded an opportunity to meet with the relevant CoCT officials, despite our several requests to do so.

The height 'datum' and design indicators provided in the Urban Design Report of the development proponents should be dismissed for many reasons, including that they are not logical or correct and have not been prepared by an accredited urban designer or an accredited heritage practitioner. They are not advanced in terms of accurate contextual evidence but, rather, in terms of an assumption that the 60m height is 'as of right' in terms of the zoning of the site. However, that is not so because of the HPOZ in place.

There are many more reasons why, from an urban design perspective, it is essential to challenge the development proposals. One has to do with the shadows such a building would cast, which would have severe negative impacts on a large extent of the context of the site. Additionally, the proposed building would block the views currently enjoyed by many and it would occasion significant wind funneling. Furthermore, the approval of the development proposals would logically lead to a precedent that other potential developments would invoke. The results could well be as reflected in Figure 11 – an entirely unacceptable outcome.

## CONCLUSION

The Bo-Kaap is a local urban socio-spatial case in flux that has passed through an historical settlement-planning trajectory starting from an early colonial urban 'other' quarter, as an expansion to the previously compact Dutch East India Company town founded in the 1650s, through an apartheid-favoured ghetto for the then so-called 'Cape Malay' community of the 1950s to 1980s, to a current diverse and dynamic reality, which is seeing considerable gentrification and redevelopment on the fringes of Central Cape Town, as the desirable built environment characteristics of the Bo-Kaap are generally re-evaluated by the open market.

The track record of modernist as well as contemporary city planning and urban growth management in the Bo-Kaap is at best contradictory and poor, as development rights, practices and norms have not adequately found a reasonable balance between conservation and development.<sup>17</sup> As has been argued, tall buildings and the historic single- to double-storey Bo-Kaap are a contradiction.

The current community resistance and objection to development proposals of a city block on the Bo-Kaap



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periphery have profiled the need for better-informed, more coherent city growth management in the area. In such a heritage-rich townscape and setting, city planning and management should focus on putting in place appropriate constraints to the height and massing of permissible development in the broad public interest.<sup>18</sup> The approval of the proposals by the Municipal Planning Tribunal is on appeal. At the recent Mayor's Advisory Panel hearing, the author's concluding remarks were: 'I want to place the following on record in the broad and longer-term public interest:

- The currently prevailing dominant culture within the ranks of officialdom at the municipality of Cape Town, where senior planning and other officials have been instructed by the mayor to simply say 'yes' to development applications, is deeply undermining of the exercise of professional responsibility, development control and local government growth-management of the built environment.
- This culture is patently tending to result in professional officials becoming compromised ethically and not being able to do their jobs effectively.
- I have personal knowledge of very able professional built-environment officials who feel compromised and intend to leave the employ of the municipality because of this.
- It is more than ironic that the mayor of this city, the very person who will ultimately decide on this appeal, is the very source of this prevailing and crass development-at-all-costs culture that is tending to do great harm to our city. >

<sup>11</sup> The logical outcome likely if the development is approved, courtesy of Rick Brown Architects.