

Opposing the
proposed development

Three key grounds for refusal

Sir Michael Bear

Specific contraventions to statutory policy plans and frameworks

1. **The overbearing presence of the proposed development** within the setting of the Grade I listed Bevis Marks Synagogue would cause harm to the contribution made by the setting to its architectural interest and the ability to appreciate the significance of this Grade I listed building.
 - The public and economic benefit of the provision of Class 'E' uses on the site would not outweigh the harm caused and similar benefit could be secured from a less harmful scheme.
 - The proposals are therefore contrary to:
 - London Plan Policies D9, HC1;
 - City of London Local Plan policies CS7, CS12, CS14, DM12.1 and DM12.3;
 - National Planning Policy Framework.
2. **The cumulative impact of this development** together with other consented and proposed developments within the setting of the Grade I listed Bevis Marks Synagogue would cause harm to the contribution made by the setting to its architectural interest and the ability to appreciate the significance of this Grade I listed building.
 - The result is an unacceptable impact at Bevis Marks Synagogue by reason of the loss of daylight and sunlight.
 - The proposals are therefore contrary to:
 - London Plan Policies D9, HC1;
 - City of London Local Plan policies CS7, CS12, CS14, DM10.7, DM12.1, DM12.3, DM21.3.
3. **The proposed development would be detrimental to the setting of the Tower of London World Heritage Site** by reason of its height, form, design and materiality along with its prominence which would adversely affect the following attributes of the Outstanding Universal Value of the Tower, the physical prominence of the White Tower; the site's strategic and landmark setting and the site's status as an internationally famous monument.
 - The harm would be significant and whilst it would be 'less than substantial', it would be at the upper limit of this range.
 - The public and economic benefit of the provision of Class 'E' uses on the site would not outweigh the harm caused and similar benefit could be secured from a less harmful scheme.
 - The proposals are therefore contrary to:
 - London Plan Policies D9, HC1, HC2, HC3, HC4;
 - City of London Local Plan policies CS7, CS12, CS14, DM12.1;
 - London's World Heritage Sites – Guidance on Settings SPG (March 2012);
 - guidance within the Tower of London World Heritage Site Management Plan;
 - National Planning Policy Framework.

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Bevis Marks: Synagogue and Setting



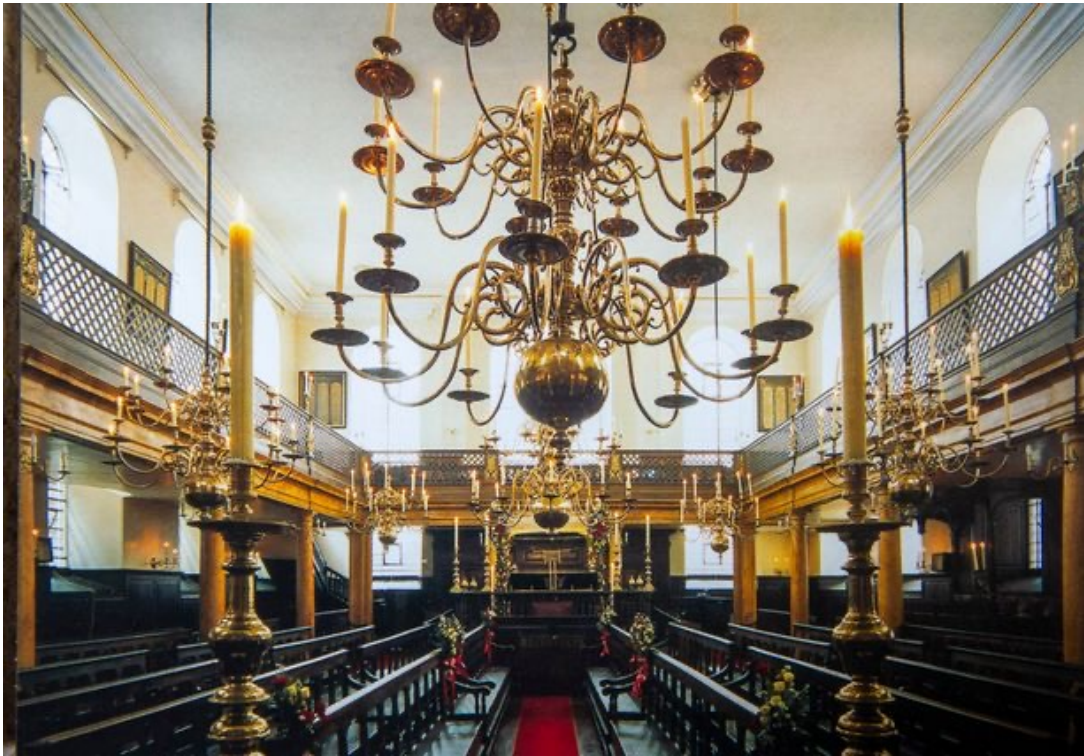
- ‘...the curtilage of a building (the principal building) is in general terms any area of land and other buildings that is around and associated with that principal building’
- ‘...unless the list entry explicitly says otherwise, the law (Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990) says that the listed building includes any ancillary object or structure within the curtilage of the building, which forms part of the land and has done so since before 1st July, 1948.’

Historic England, *Listed Buildings and Curtilage: Historic England Advice Note 10* (February 2018), pp.4 & 5.

City of London Policies

- “Safeguarding the City’s listed buildings and their settings, while allowing appropriate adaptation and new uses” (CoL Local Plan 2015: CS1)
- ““To sustain and enhance heritage assets, their settings and significance”. (CoL Local Plan 2015: DM12.1)
- “Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.” (CoL Local Plan 2015: DM12.1)
- 4. “Delivering tall buildings on appropriate sites that enhance the overall appearance of the cluster on the skyline, and the relationship with the space around them at ground level, while adhering to the principles of sustainable design, conservation of heritage assets and their settings...” (CoL Local Plan 2015: DM 12.1)

Bevis Marks: Heritage Principles and Values



- Principle 3: Understanding the significance of places is vital
- Principle 4: Significant places should be managed to sustain their values
 - *Historic England Conservation Principles, Policies and Guidance (2015)*

4 Kinds of Heritage Value

- Evidential value: the potential of a place to yield evidence about past human activity.
- Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present – it tends to be illustrative or associative.
- Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place.
- Communal value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

Historic England Conservation Principles, Policies and Guidance (2015)

People and Place over time: 1701-2021



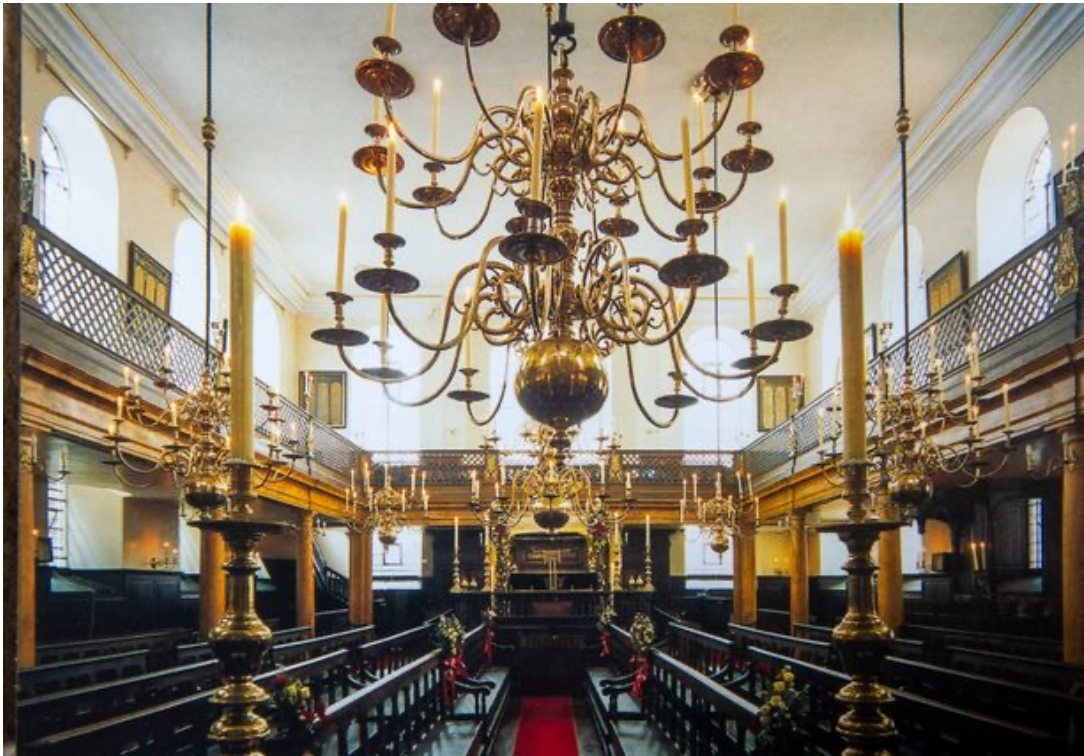
1815



1884



Bevis Marks: Heritage Principles and Values



- Principle 3: Understanding the significance of places is vital
- Principle 4: Significant places should be managed to sustain their values
 - *Historic England Conservation Principles, Policies and Guidance (2015)*

What is intangible heritage?

- Cultural heritage does not end at monuments and collections of objects. It also includes traditions or living expressions inherited from our ancestors and passed on to our descendants....
- While fragile, intangible cultural heritage is an important factor in maintaining cultural diversity in the face of growing globalization. An understanding of the intangible cultural heritage of different communities helps with intercultural dialogue, and encourages mutual respect for other ways of life.

Unesco Convention on Intangible Heritage

Social and Communal benefits?

- “Foster good relations between persons who share a relevant protected characteristic and persons who do not share it”

The Public Sector Equality Duty (Equality Act, 2010)

Two World Heritage Sites



National significance

- Bevis Marks Synagogue is .. much more than a Grade 1 listed building. It is the 'Cathedral' Synagogue to Anglo Jewry and should be protected in its cultural, historical and religious significance in the same vein that St Paul's Cathedral or Westminster Abbey could expect from its local and national government. ... The Synagogue deserves the protection that ought to be afforded to it in ensuring that the building and its community are able to exist as intended which includes streaming natural light through its beautiful windows and being a place of private reflection for worshipers.

London Jewish Museum submission

Campaigning for civil and religious equality: Jews in the City of London



Sir David Salomons, MP: first Jewish Lord Mayor of London (1855).



Lionel de Rothschild, the first Jewish MP, is welcomed into the House of Commons in 1858.

He was first elected MP by the City of London in 1847, but could only take his seat ten years later.



Sir Albert Sassoon, a Jew, is the first Indian to receive the Freedom of the City of London (1873)

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Impact of developments on the daylighting within and around the Bevis Marks Synagogue

4th October 2021

Dr Stephen Cannon-Brookes

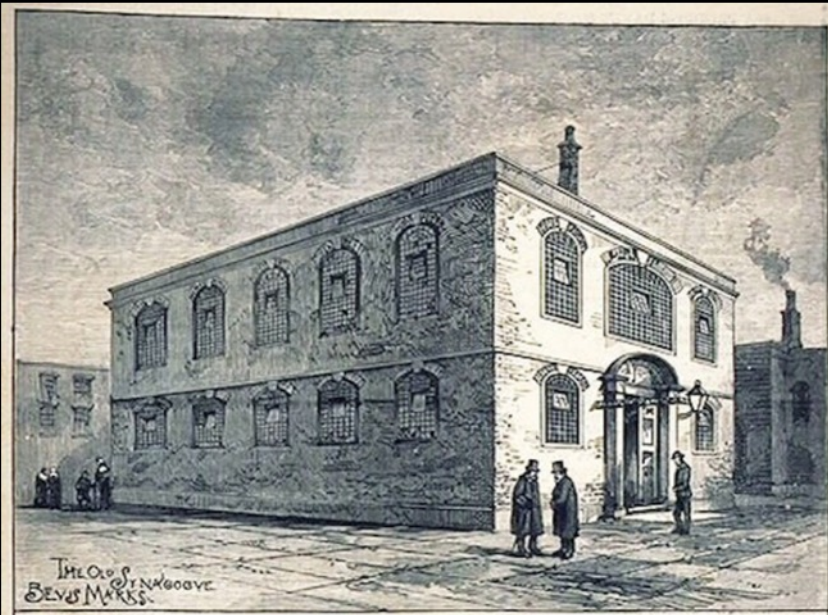
Dr John Mardaljevic





Interior of the Synagogue during recent redecoration on an largely overcast day

(photo SCB 26-08-21)



THE OLD BEVIS MARKS SYNAGOGUE
Where Benjamin Disraeli and his forefathers worshipped, and where the birth of Lord Beaconsfield is recorded.



Once a protection, the courtyard no longer guarantees the Synagogue's daylight

(photos SCB 26-08-21)



BRE guidelines equate internal daylight to the view of the sky from windows

(photos SCB 26-08-21)



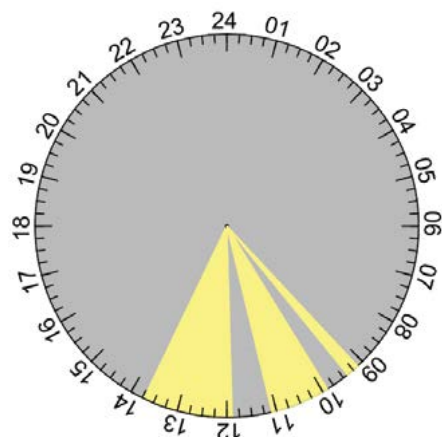
The vast majority of daylight in the Synagogue is reflected from adjacent buildings

(photos SCB 26-08-21)

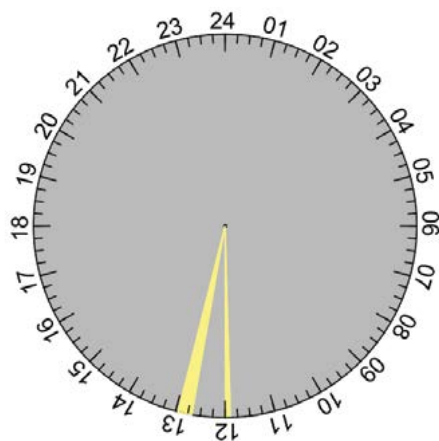
Duration of Direct Sunlight

Cumulative Impact Assessment of Proposed Developments

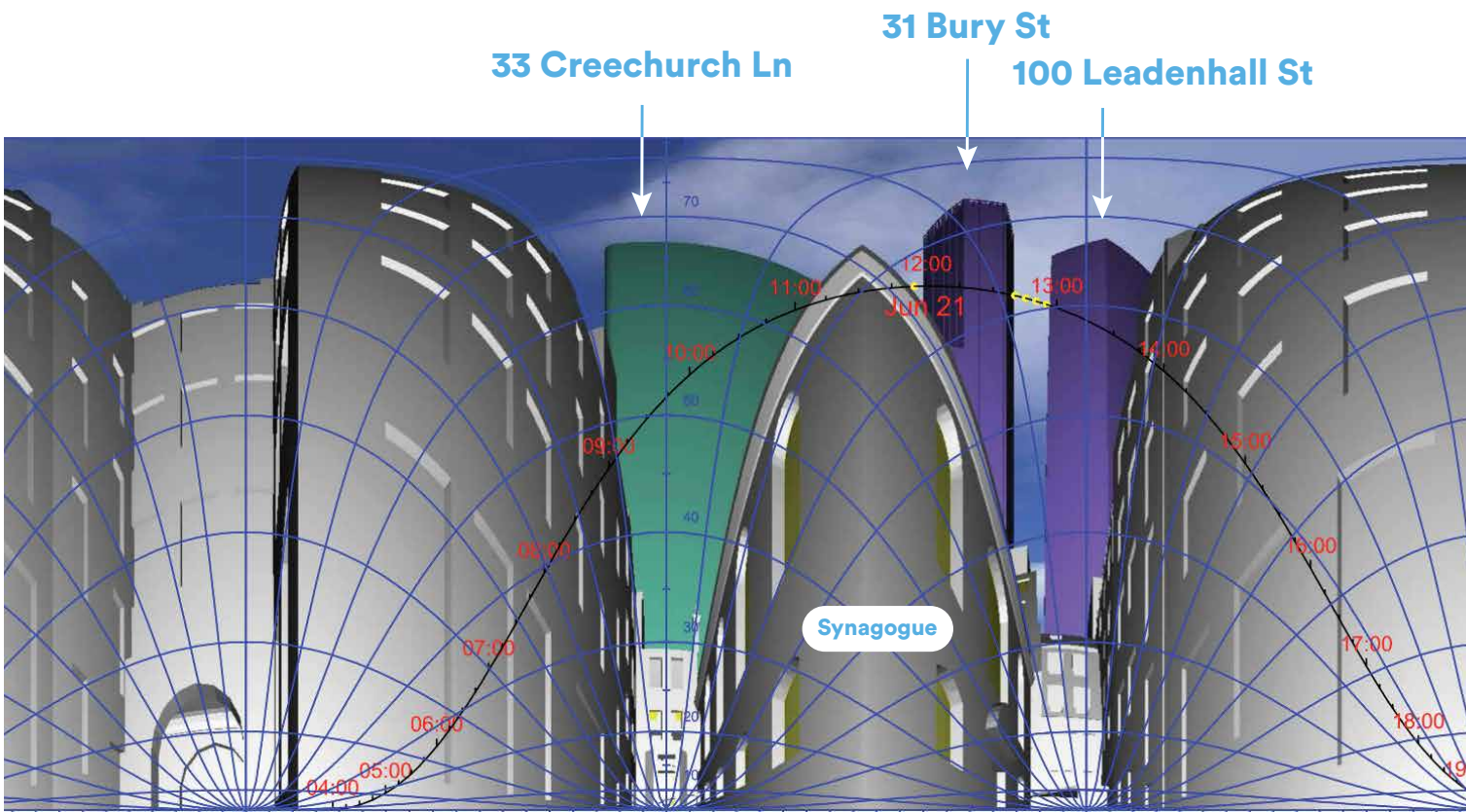
Solar Paths on 21st June

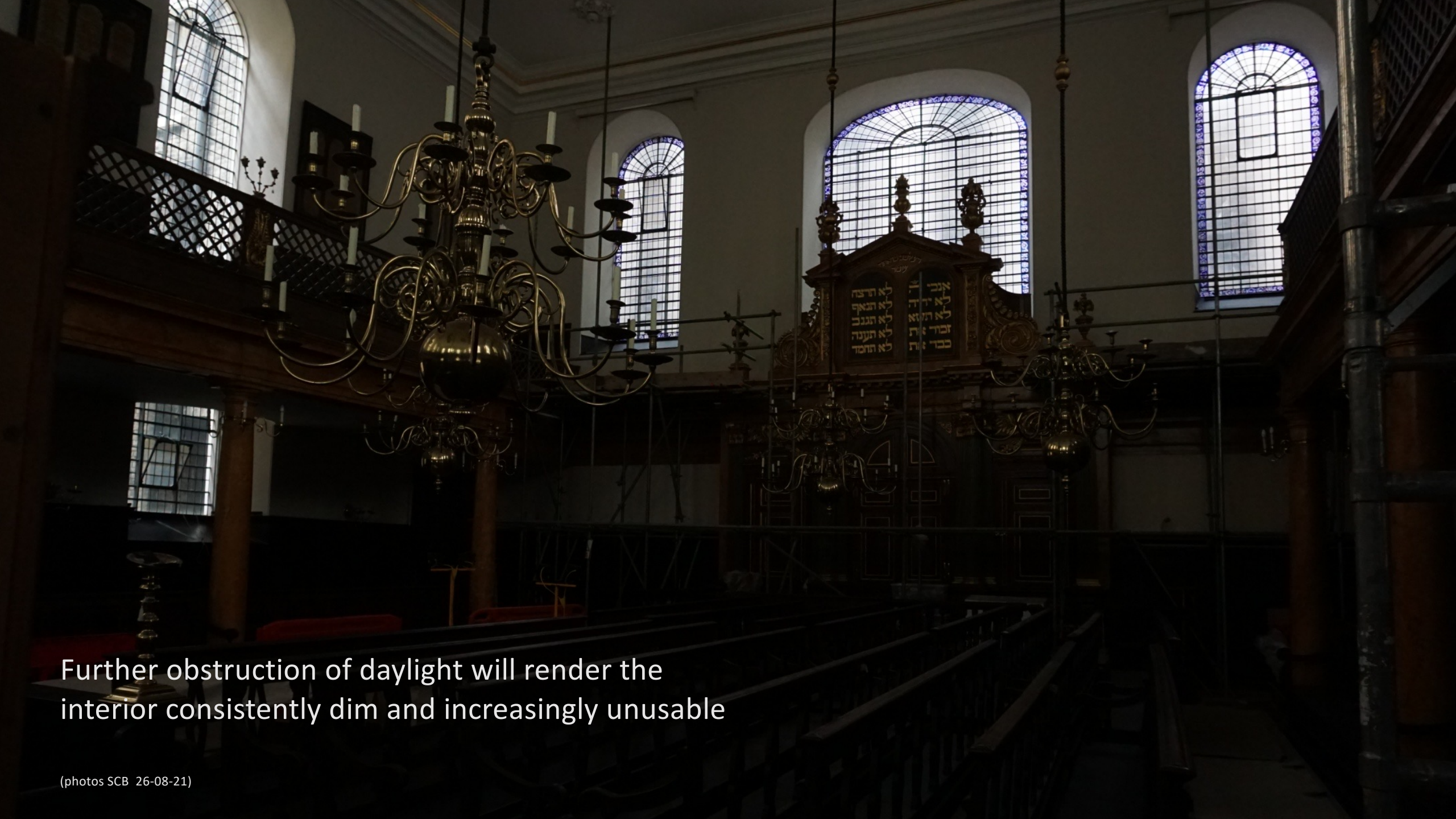


Existing



With Proposed Schemes





Further obstruction of daylight will render the interior consistently dim and increasingly unusable

Vibrant life at the Synagogue



Bevis Marks' heritage value

What's changed?



REPORT OF THE CITY ARCHITECT & PLANNING OFFICER

CAPO 550/78
19th June 1978

24(6) Committee

PLANNING AND COMMUNICATIONS COMMITTEE
TUESDAY 27th JUNE 1978
REGISTERED PLAN NO.

4780

The City Architect & Planning Officer RECOMMENDS the grant of PLANNING PERMISSION for the development referred to in the undermentioned schedule in accordance with the plans submitted, subject to the conditions set out therein.

Schedule

Registered Plan No.	Premises	Proposed Development As Applied For
4780	17-35 Creechchurch Lane & 16A Bevis Marks (Ward of Aldgate)	Redevelopment for offices and wine bar (approximate gross office floor-space 28,242 sq.ft.).

Conditions

- The buildings must conform to building lines and site boundaries to be set out on the site by the City Engineer.
- Particulars and samples of materials to be used in all external faces of the buildings and surface treatment must be submitted to and approved by the Common Council before any works affected thereby are begun.
- That in the case of any of the above reserved matters, application for approval must be made not later than the expiration of three years beginning with the date of the grant of this permission.
- That the development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - the expiration of five years from the date of this permission; or
 - the expiration of two years from the final approval of the above reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.
- A clear unobstructed headroom of 15 ft. (4.6m) must be maintained in the areas (including access ways) to be used for loading and unloading.
- The areas shown on the drawings 909(c) 201 and 203, to be set aside for loading and unloading, must remain ancillary to the main use of the building and be available at all times for the sole use of the occupiers and visitors thereof. The areas set aside for these purposes shall not at any time be used for purposes other than those for which they are respectively provided, except as may be approved by the Common Council from time to time.
- The public wine bar in the basement shown on drawing no. 909(c) 202 shall be used for a public wine bar ^{only} and for no other purpose.

Reasons therefor

To ensure:

- Compliance with the proposed building lines and site boundaries.
- A satisfactory external appearance.
- Compliance with the terms of Section 42 of the Town & Country Planning Act 1971.
- Satisfactory servicing facilities.
- Satisfactory vehicular circulation within the curtilage of the site.

/contd.

Report of the City Architect & Planning Officer 19th June 1978

“RECOMMENDS the grant...
subject to the conditions set out therein.”

4. I consider the means of access to the service area to be a dangerous manoeuvre. All traffic should enter and leave the site in a forward direction only.

5. I have no objections to any necessary closure of part of Crecchurch Lane.

A further letter dated 25th May 1978 he states:-

In my opinion the revisions shown in the drawing do not improve the previously proposed traffic movement or servicing facilities."

These comments have been taken into account by the applicants as far as possible in their revised drawings. The proposed position of the service bay provides the best solution to the problem of servicing the new building and is felt to be satisfactory, in the circumstances, by Mr. Engineer.

The application has been advertised under Sections 27 & 28 which has resulted in two letters of objection. The letters were from Messrs. Peter Black & Partners on behalf of 4/6 Heneage Lane dated 2nd May 1978 and Mr. Peter Temple on behalf of the Spanish and Portuguese Synagogue and 2 Heneage Lane dated 15th May 1978. The points which were raised in these letters mainly concerned the possible infringement of daylighting. The revised drawings show that the fourth floor is to be set back from the edge of the building on the Heneage frontage opposite No. 2 Heneage Lane and the Synagogue and the plant room will have a sloped mansard roof. These amendments have in fact slightly improved the existing situation for the Synagogue.

The applicant has introduced glazing into the southern end of the Heneage Lane elevation, which has resolved a point raised by Peter Black & Partners.

In fact these two letters of objection have been withdrawn by a letter from Tarmac Properties Ltd. who are the developers for 4/6 Heneage Lane dated 8th June 1978 and a letter from Peter Temple dated 15th June 1978.

From a visual point the observations were as follows:-

The applicant's own admission as follows:-

"The revisions to this scheme are fairly satisfactory although we would prefer the vertical granite strips to be reduced in width with a reduction in the amount of granite used on the Heneage Lane elevation."

S.4.

The elevation in question has been amended accordingly since this comment was made.

As a conclusion I would point out that the site is difficult to redevelop with the limitations imposed by the shape of the site. The service bay does provide on-site servicing and is located in a position which takes account of the future road widening proposals for Bevis Marks. The infringement of the daylight standards has been rectified by the revised drawings. The daylighting aspect has been the subject of protracted negotiation and detailed calculations.

Accordingly I RECOMMEND that planning permission BE GRANTED subject to the attached conditions.

Registr
Plan N
4780

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