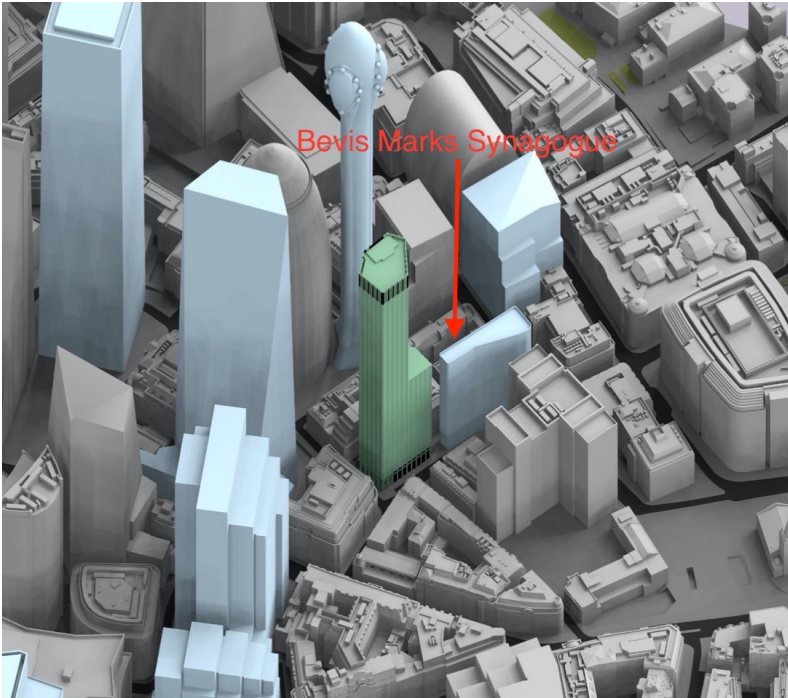


**SIR MICHAEL BEAR
PRESENTATION TO PLANNING COMMITTEE MEMBERS
MONDAY 4 OCTOBER 2021**



Opposing the
proposed development

Three key grounds for refusal

Sir Michael Bear

Thank you, Stuart.

1. Thank you for giving us the opportunity to meet with you to present our concerns about the devastating impact which would result from approving the 31 Bury Street Application.
2. It takes a unique set of circumstances to get a Bear out of hibernation - and this is indeed one of those unique circumstances!
3. The decision facing your Committee tomorrow is crucially important and will have long lasting implications for the City and its Role and Reputation respecting it's Heritage.
4. Our presentation today will be based on data, not emotion: it will not be glitzy, high tech and expensive like that produced by the Developer who has been able to outspend our small community budget by over a hundred to one. None-the-less we have today assembled world-class experts in their fields to present our case.
5. What is our case?

6. In essence you have before you a Planning Officer's Report which is seriously flawed and draws conclusions from evidential studies which are wrong.
7. Not only wrong, but as your own officers' report accepts, the proposal is in fundamental breach of the City's own Development Plan. We operate on what is supposed to be a plan-led system. Parliament has accorded a statutory presumption in favour of the Local Plan, yet you are being asked by the developer to approve a development which is in clear conflict with that plan.
8. The Planning (Listed Buildings and Conservation Area) Act 1990 establishes that when "considering whether to grant planning permission for development which affects a listed building, or its setting, the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses." (s66(1) P(LBCA)A 1990). For reasons which will be made clear, Bevis Marks' setting, as well as its special architectural and historic interest, are distinctly at risk.
9. That is why I, as a former member of your Committee, a former Lord Mayor and huge supporter of tall buildings in the City, find myself in the unusual position of leading today's discussion on behalf of the objectors to this scheme.
10. The fact that the application site lies in the Eastern Cluster might be thought by some to justify the unforgiving dominance of this proposal and this indeed appears to be the approach adopted by the Applicant.
11. But in no sense can the Planning Policy Position be regarded as a free pass to justify overwhelming Bevis Marks, this greatly treasured place of worship.
12. Quite the reverse. As is self-evidently the position here, significant harm would be caused to the synagogue and its setting, affecting the provision of daylight and sunlight which our expert will address later.
13. Planning Regulations have always been imperfect in judging the harm to adjacent buildings. This often ignores the very special nature of some buildings that, like Bevis Marks, have a living, breathing and spiritual purpose.
14. An interpretation of a different nature is required, of the data before you.
15. So, our professional team have drafted three fundamental grounds for refusal of this planning application, giving details and clause references on each policy contravention against your own City of London Planning Policies, The London Plan Policies, and the National Planning Policy Framework. We have arranged for you to have a copy of this information for your consideration.

SLIDE 2: SPECIFIC CONTRAVENTIONS

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.

1. You will shortly be hearing from our experts on:

- The unique use of the Synagogue
- Its importance to the community
- Heritage
- Light

As to why this Application should be refused outright.

2. You have in your hands the freedom to decide the fate of the Bevis Marks Synagogue.
3. I will now pass over to our three speakers who will introduce themselves and explain in detail the grounds for rejecting this application.