

Planning & Transportation Committee – 5 October 2021

Further Addendum for Agenda item 4.

Planning application 20/00848/FULEIA – 31 Bury Street

1. Corrections in the Report

Paragraph 339 should read:

“A visually striking landscaping feature is proposed in the form of a 3- 9 storey tall green wall in the pocket park area at ground level.”

Paragraph 342 should read:

“Substantial greening has been incorporated at ground floor level within the new public realm areas by landscaping and trees as well as an 8 9 storey green wall (approx. 32m in height and over 200sq.m in terms of surface area).”

2. Amended moving flythrough provided by applicants

An amended moving flythrough which was provided within the Townscape Built Heritage Visual Impact Assessment addendum report on Page 3 has been amended to include 33 Creechurch Lane.

Link – (If the link does not work – please copy and paste the link into a Google Chrome web Browser)

3. Additional Condition

- (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.
- (b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.
- (c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.

REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

4. Letters of Representation

Since the committee report has been published additional representations have been received.

The representations which raise new issues are summarised in the table below, along with officer responses to the comments raised. A full list of all late representations are attached to this addendum report and they have been made available to view on the public website.

Representations (objections)	
<p>Cannon Brookes Lighting and Design and Daylight-Experts On behalf of the Bevis Marks Synagogue</p>	<p>Summary of the Representation: Given the now substantial dependence on reflected light from the surrounding buildings, any assessment of daylighting within the Synagogue must include the reflected contribution of both sunlight and (non-overcast) skylight to accurately represent both existing conditions and proposed changes. The daylight assessments submitted with the current development proposals fail to include sunlight's contribution, rendering the findings incomplete and leading to severe underestimation of negative impact on the Synagogue. Applied to the Synagogue, these (routinely employed) daylight assessment methods are being used outside of their domain of applicability, and cannot therefore reveal the true extent in the reduction of functional daylight that the users of this unique space will be subject to.</p> <p>Details of the Representation: The Synagogue was designed to be well daylit with large windows on all four sides to meet spiritual and functional aspects of worship. Members of the congregation expect to be able to read during services using daylight, which as of tradition plays a role in the timing of services. This helps to explain why the generous number of original chandeliers were not electrified during the 20th century, since, as was the case in the early 18th century, appropriate candles are expensive and their use is reserved for special services.</p> <p>It is the minimal level of material change since the 18th century that earned the current Grade 1 listing of the building, its fabric and its furnishings.</p> <p>Whilst the building and its use remain largely unchanged, the same cannot be said for its surroundings and this has had a substantial effect on the daylighting of the interior. The narrow surrounding courtyard has maintained a perimeter of space though, one increasingly shaded from the sky by the rising height of adjacent buildings. One of the consequences of this is evidenced in the interior where there are redundant boxes above the upper level windows on the SE and SW walls. In the past, these were used to house blinds to diffuse sunlight, now <i>permanently</i> blocked by adjacent buildings.</p>

Change has been incremental, but always in the direction of lower daylight levels as the height of the surrounding buildings increased.

GIA's reports present the current conditions showing how little direct view of the sky remains from the Synagogue's windows. Their assessment of the resulting low daylight levels under a single, worst case overcast sky condition would appear to reflect the experience of the congregation, who already find during some daylight hours that reading is no longer easy, especially under the balconies. However, a worst case evaluation under a single sky condition provides only a limited insight into the actual daylighting performance of the Synagogue. Site measurements of light levels indicate that the interior is on the cusp of losing useable levels of daylight under most sky conditions.

Review of existing conditions and schematic computer modelling indicates that the daylighting in the Synagogue is now dependent on reflected light from the surfaces of the buildings surrounding the courtyard.

This is most obvious during periods of sunlight, the absence of which is easily perceived since light levels are considerably lower when sky is overcast. At these times, the current and relatively sparse electric lighting is utilised and it was learnt that members of the congregation tend to cluster around the columns where the brackets are mounted.

From the reports received, the light levels from the fittings are insufficient for them to be regarded as an alternative means of illumination and in practice they serve to distort the use of seating during services.

Both of the two projected developments represent substantial increments in shading above that existing. The critical factor that is not addressed by GIA's employment of orthodox overcast sky metrics for daylighting is the presence of sunlight, either from clear or partially overcast skies. The two new buildings would substantially reduce sunlight cast onto the walls of the courtyard surrounding the Synagogue and this will have a greater effect than suggested in GIA's analysis, which does not include either reflected sunlight or reflected non-overcast skylight as a source of illumination within the Synagogue.

In addressing only one component of the actual daylight reaching the interior, they underestimate both what is currently present, and the effect of the changes caused by greatly increasing shading of the Synagogue's surroundings from the southern part of the sky. Given the already precariously low light levels, this would be to greatly increase the portion of the year when daylight levels will

drop below those currently experienced as adequate by the congregation.

We believe that the basis of the daylight assessment methods used by GIA and the BRE, their suitability for the particular case of determining daylight loss to the Synagogue, and more realistic alternatives should be more clearly delineated in order for the Committee to make an informed decision for this unique case.

The vertical sky component (VSC) at the window is used as a proxy for the daylighting potential of directly visible sky (and only strictly for the single 'standard' overcast sky condition). This proxy measure has some utility for relatively shallow-plan, single aspect spaces, e.g. small perimeter spaces such as living rooms or office units. For typical planning applications, these are the types of rooms that overwhelmingly comprise the majority of spaces evaluated.

Any reduction in VSC should be understood as an indicator of the reduced 'view' of the sky (at the window) which, crucially for the Synagogue, is not a reliable measure of reduction of the "diffuse daylighting entering" the building since that depends on the totality of reflected skylight and sunlight. It is important to appreciate therefore that the standard daylight assessment methods described in the reports we have reviewed were not conceived to be applied to distinctive/unique buildings such as the Synagogue where the functional daylight experienced by the users depends almost entirely on reflected light from both the sun and the sky.

We agree with the BRE recommendation against using the "average daylight factor to assess loss of light to existing buildings."

The BRE report also notes that "British Standard Code of Practice for daylight, BS 8206 Part 2. BS 8206 Part 2 was superseded in 2019 by [the new European standard] BS EN 17037." [BRE 2.2.7] The European standard requires the determination of absolute levels of daylight illumination, i.e. lux values (as measured by a light meter) rather than idealised proxy measures such as the average daylight factor. This is the first major upgrade in daylighting standards in over half a century.

The 17037 Standard has been adopted by all 34 CEN member states and has encouraged the widespread uptake of climate-based daylight modelling (CBDM). In large part this is because CBDM offers a holistic evaluation of daylight in a space, i.e. the combined effect of sunlight and skylight (reflected and directly received) predicted using realistic sun and sky conditions appropriate for the locale. Also, the evaluation period is full year at an hourly increment. Thus the daily and seasonal patterns of daylight illumination in spaces (i.e. those experienced by the occupants) are realistically depicted.

Although practitioners now use computers rather than diagrams/tables to predict quantities such as the ADF, VSC and sunlight hours, the underlying methodology for these techniques is essentially the same. And so the intrinsic limitations of these techniques are the same as they were fifty or a hundred years ago.

Our preliminary review and analysis was informed by CBDM simulations of a schematic/approximate scenario based on the Synagogue and its surroundings. Elements of the geometry necessarily had to be assumed since we had not been given access to the detailed 3D model shown in the various reports.

Nevertheless, the CBDM simulations confirmed our expectations and revealed that daylight in the core of the Synagogue comprised almost entirely of reflected sunlight and reflected skylight. Furthermore, we believe that a failure to account for this will deny the Committee the opportunity to make an informed decision. Our analysis indicates that the daylighting of the Synagogue is at risk of being irredeemably impaired, not just in terms of historic appearance, but more crucially from the perspective of the congregation who are both reliant on the limited levels at present, and understandably wish to retain daylight's spiritual presence within the building. The Synagogue was conceived as a coherently designed space for the congregation to worship within. To substantially reduce the internal daylight from its current slight levels would sever the links that make it such a place, and thus undermine the rationale for its protection.

In these circumstances, we recommend that the full implications for daylight reduction from the two developments are more rigorously assessed. To derive a realistic understanding of the shading effects, such an assessment should involve both the application of climate-based daylight modelling and engagement with the congregation to calibrate the quantitative output.

Officers Response to Comments:

The daylight and sunlight impact have been assessed using BRE Guidelines which is the identified methodology recognised within the Local Plan, Draft Local Plan 2036 and this is the methodology which has been relied on.

Climate based daylight modelling is that it generates a lot of data which can be difficult to interpret and compare with standards. As the full results of the Climate Based Daylight Modelling (CDBM) has not been provided by the Synagogue, officers are not able to make a full assessment of these results.

The details of this representation have been independently reviewed by Dr Paul Littlefair (BRE).

	<p>It is acknowledged that the synagogue does benefit from reflected light from the other buildings nearby, and the vertical sky component does not include this. GIA's radiance-based daylight model does include reflected light, but only under an overcast sky and may have underestimated external reflectances.</p> <p>It is considered that including reflected light over the whole year would not make much difference to the overall conclusions about the impact to the synagogue. Most of the reflected light comes from the offices to the north east (on Bevis Marks) which are further away from 31 Bury Street and less affected by it; or the offices to the north west (on Bury Street) which do not directly face the proposed 31 Bury Street. The proposed development would be expected to have similar relative impact on reflected light entering the synagogue as it would on direct light coming from the sky.</p> <p>There are recommendations in BS EN17037, but the synagogue would be below them both currently and with the new development in place.</p>
Rehman Chishti MP	<p>Writing as the Member of Parliament for Gillingham & Rainham and the former UK Prime Minister's Special Envoy for Freedom of Religion or Belief.</p> <p>Expresses total opposition to and serious concerns regarding the planning applications 20/00848/FULEIA and 18/00305/FULMAJ and their negative impact on Bevis Marks Synagogue, the oldest synagogue in the UK and the longest continually operating synagogue in the world. As a Grade I listed building which houses a living community with continuity of worship and tradition for over 320 years, these two proposed developments now threaten its natural light, historic setting, and structural integrity.</p> <p>Historic England, in its response dated 18th February in relation to 18/00305/FULMAJ raises concerns about the impact of the proposed development on heritage grounds, and notes that the consideration of harm in respect of Bevis Marks, <i>"should be particularly great in this case because the designated heritage is listed at Grade I and therefore of the highest importance."</i></p> <p>The cumulative impact, with other buildings built or agreed, will mean sunlight, apart from one hour during the day, will be completely blocked out, severely compromising the functioning of the synagogue, and overshadowing the entire site. As Dr Paul Littlefair of the BRE concludes in his report of 20th September 'Review of daylight and sunlight, Bury House, London EC3 – P119483-1000:</p>

“The cumulative effect of all the proposed developments would be to stop all sunlight reaching the centres of the windows at any time of year. This would be a major adverse impact.”

The conclusions of this report, which was commissioned by the City of London Corporation itself, should in my view be more than enough justification for refusal of both planning applications.

These proposed developments fail to consider the importance and extreme sensitivity of British Jewry's cathedral synagogue.

Over 1,000 letters of objection have been received against both planning applications. It is clear that there is serious concern from a wide range of stakeholders about the potentially devastating impact that these developments could have on the future of Bevis Marks.

Call on the City of London to take these voices into account when considering these applications and I reiterate my serious concerns about the impact of these developments which threaten the future of Bevis Marks Synagogue and the implication for freedom of religion or belief should the developments go ahead.

Officers Response to Comments:

Whilst Historic England have raised concerns in their letter for the application at 33 Creechurch Lane (18/00305/FULMAJ) about the impact of the development at 33 Creechurch Lane and its impact on the Synagogue, this application is not for the consideration of 33 Creechurch Lane. This application will be considered at future committee.

In their response to the application at 31 Bury Street (20/00848/FULEIA), Historic England state that “The building is also located very close to the Grade I Bevis Marks Synagogue (1699-1701) which is the oldest synagogue in England in continuous use. The synagogue is located at the eastern fringe of the City of London near Aldgate, and accessed via a secluded courtyard. The deliberately enclosed surroundings contribute to the setting and therefore significance of the listed building. However, the courtyard has been encroached upon by recent tall building development in the area which has caused some harm to the significance of Bevis Marks through development within its setting.

However, the cumulative wireline assessment indicates that consented tall buildings within the Eastern Cluster already present a significant impact on the setting of Bevis Marks, and the proposed scheme will appear as part of that cluster in this view. Nonetheless, the proposed development would be closer to the synagogue and would therefore further diminish the sense of seclusion within the courtyard, causing a small degree of incremental harm to the listed building in our opinion.”

	<p>Consideration of the heritage impacts on Bevis Marks Synagogue is set out in the 'Impact on significance and setting of listed buildings' section of the report. It is considered that in visual, physical and environmental terms, under both baseline and cumulative scenarios, the proposed building would preserve the special architectural and historic interest and heritage significance of the synagogue and its setting. There is no harm identified to the Synagogue.</p> <p>The impact of the proposed development on daylight, sunlight and overshadowing is set out in the main body of the report including the impact of cumulative scenarios taking into account consented schemes and schemes which are currently under consideration.</p> <p>Your officers commissioned Dr Paul Littlefair of the Building Research Establishment (BRE) to undertake a review of daylight and sunlight impacts of the proposed development. That review includes an assessment of impact on the Bevis Marks Synagogue. BRE consider the Synagogue to have a high sensitivity to loss of light.</p> <p>The Synagogue lies to the north of the application site and has windows on all four sides. The loss of VSC to the upper windows on the south side would be outside BRE guidelines (i.e. be at a level where occupants of an existing building will notice a reduction in the amount of skylight).</p> <p>The Synagogue already experiences fairly low levels of daylight and sunlight in the existing condition. The impact on daylight to Bevis Marks Synagogue would minor adverse with very small absolute VSC (recorded between 1.7%-1.8%.) which would be minimally noticeable in the Synagogue at ground floor level and slightly more noticeable but to a limited area only on the south side at mezzanine.</p> <p>Dr Littlefair advises that the magnitude of the loss of daylight attributable to the proposal can be classified as 'minor adverse'. He further advises that the overall cumulative effect of the proposal together with other developments on daylight would be classified as a major adverse impact, but that most of the reduction is due to other developments and not the application proposal.</p> <p>The Synagogue would experience a moderate adverse impact in terms of sunlight (in the annual period absolute reductions range between 7% and 13%). The impact on sunlight would be more marked in the cumulative scenarios, described by Dr Littlefair as a major adverse impact, particularly in the Future Baseline 2 scenario (which assumes all the schemes would be constructed including the unconsented schemes the Tulip and 33 Creechurch Lane).</p>
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	<p>With regards to Sunlight to the courtyard, in the existing context only 1.5% of the area receives more than two hours or more of direct sunlight access on 21st March. In the proposed condition, this reduces to none of the area receiving direct sunlight.</p> <p>Officers do not consider that the limited impact of daylight, sunlight and overshadowing to the Synagogue and it's Courtyard is of such significance that it would be unacceptable. It would not be considered to diminish the visual appreciation of the internal features such as the Bimah, Ark or other interior features of religious, architectural and historic significance and is not considered to impact the existing use nor would it change the pattern of use or religious or community significance of the Synagogue.</p> <p>The impact of cumulative scenarios have been assessed including consented and unconsented schemes. In the cumulative scenario, the Synagogue would experience larger cumulative losses. However, the loss of light would be largely due to the other consented buildings in the cumulative scenarios (in some cases the proposed development under consideration at 33 Creechurch Lane) and very little of it would be due to the proposed development.</p> <p>The adopted and emerging Local Plans indicate that impacts on daylight and sunlight have to be considered within the context of what is appropriate given the City Centre location and the fact that BRE compliant levels of daylight and sunlight are unlikely to be achievable. Account also needs to be taken of the existing levels of daylight and sunlight to the affected rooms, which, for a number of the affected rooms, are already low. It is considered that the proposed development would not reduce noticeably daylight and sunlight in the synagogue and courtyard to unacceptable levels. It is also considered that the daylight and sunlight available to the Synagogue and courtyard is appropriate for its context and would not harm the visual appreciation of the internal features of religious, architectural and historic significance and is not considered to impact the existing use nor would it change the pattern of use or religious or community significance of the Synagogue. The daylight, sunlight and overshadowing assessments have been reviewed independently by two external consultants and they concur with the level of impact. The proposal complies with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036.</p>
Twentieth Century Society	<p>The Society objects to the application due to the harm caused to the attached Grade II* listed Holland House.</p> <p>The proposed development will have an impact on both the fabric and setting of the Grade II* listed Holland House. Only 5.8% of</p>

listed buildings are Grade II* which makes the conservation of Holland House of the utmost importance.

The Society agrees with Historic England's assessment of the significance of Holland House and its setting. The building is listed in part for the outstanding architectural quality of its elevations so it is important the exteriors, and views of the exteriors, are preserved. From the west, Holland House is viewed against a clear skyline. Owing to the considerable height of the proposed development, it will be highly visible in this view, rising up behind Holland House (view 43). We agree with Historic England that the proposed building will have a detrimental impact on the listed building's setting.

In their response to Historic England's feedback, the applicant refers to nearby developments like 30 St Mary Axe and claims that 'Change is part of the DNA of the City of London' and that 'Holland House remains an exceptional piece of architecture that [has] managed to retain its qualities in the ever-changing context of the City.' We appreciate that Holland House is located in an urban environment and place of change, but disagree with the suggestion that the significance of Holland House cannot be harmed by development within its immediate setting. Historic England's 'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)' considers 'cumulative change' and states that 'Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting [...] consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset.' We maintain that the proposed 49-storey tower to the rear of Holland House will have a harmful impact on its significance.

For these reasons, the Society objects to the current application and encourages the applicant to revise the design to reduce the height of the proposed development and limit its impact on the Grade II* Holland House. The Society defer to Historic England and the Georgian Group for comment on the impact on the Grade I listed 18th-century Bevis Marks Synagogue.

Officers Response to Comments:

Consideration of the impacts identified in the Twentieth Century Society's response are contained within paras 216 to 219 of the main report.

Impact on Holland House: the dramatic juxtaposition of scale, materiality and architectural design is a characteristic of the City Cluster. The visual impact of the proposed building would be mitigated by the very high quality of the modelling and materiality of its pale blue faience elevations, architecture which has been directly

	<p>inspired by that of Holland House and which would read as complementary. The views of the listed building across the Gherkin plaza do not contribute materially to the significance or appreciation of the listed building, where the setting is in any case defined by a contrast with tall buildings. The proposed building would not adversely impact upon light levels to the fine tiled interiors at the lower levels of the listed building. Accordingly, it is considered that the proposed building would not cause harm to the setting or significance of the listed building.</p>
Westminster City Council	No Objections
Mr Fred Rodgers	<p>How do the estimated total annual carbon emissions from the proposed development compare to those from the existing one.</p> <p>As far as the above application is concerned, officers are misleading committee unless they can back up:</p> <p><i>Securing a development that is environmentally responsible in that it would seek to promote active travel, urban greening, target BREEAM 'outstanding', reduce carbon emissions, and reduce waste.</i></p> <p>With evidence that the total estimated annual carbon emissions from the proposed development will be less than the total annual emissions from the existing one. The apparent failure to take this into account is only one of a number of issues revealing a lack of objectivity in his report and reason enough for rejecting his recommendation.</p> <p>Officers Response to Comments:</p> <p>The proposed development would achieve a 39.2% reduction in operational carbon emissions beyond Building Regulations and offset the remaining 60.8% carbon emissions to reach net zero-carbon as per London Plan Policy <i>SI 2 Minimising greenhouse gas emissions</i>.</p>
Sian Berry AM	<p>Been contacted by constituents from the Jewish community in London about these two planning applications and their potential impact on the Bevis Marks synagogue. One resident writes: "Bevis Marks has totemic importance for the UK Jewish Community – as an Islington Jew I sometimes attend myself – but in any case I have an emotional attachment due to its place in the community's history."</p>

While it is appreciated that neither the synagogue or the proposed buildings are in conservation areas, the synagogue itself is a Grade 1 listed building and as such should be protected from harm. Among the many representations and objections to both applications, is one from Historic England, which states: “The proposed 20 storey tower at 33 Creechurch Lane will cause further harm to the significance of the Grade I listed synagogue through development within its setting. [...] This harm should be given ‘great weight’ as part of the planning balance in determining this application.”

Urge you to give due weight and regard to the many objections to both these applications and recommend that you do not approve them.

Officers Response to Comments:

Whilst Historic England have raised concerns in their letter for the application at 33 Creechurch Lane (18/00305/FULMAJ) about the impact of the development at 33 Creechurch Lane and its impact on the Synagogue, this application is not for the consideration of 33 Creechurch Lane. This application will be considered at future committee.

In their response to the application at 31 Bury Street (20/00848/FULEIA), Historic England state that “The building is also located very close to the Grade I Bevis Marks Synagogue (1699-1701) which is the oldest synagogue in England in continuous use. The synagogue is located at the eastern fringe of the City of London near Aldgate, and accessed via a secluded courtyard. The deliberately enclosed surroundings contribute to the setting and therefore significance of the listed building. However, the courtyard has been encroached upon by recent tall building development in the area which has caused some harm to the significance of Bevis Marks through development within its setting.

However, the cumulative wireline assessment indicates that consented tall buildings within the Eastern Cluster already present a significant impact on the setting of Bevis Marks, and the proposed scheme will appear as part of that cluster in this view. Nonetheless, the proposed development would be closer to the synagogue and would therefore further diminish the sense of seclusion within the courtyard, causing a small degree of incremental harm to the listed building in our opinion.”

Consideration of the impacts on Bevis Marks Synagogue is set out in the ‘Impact on significance and setting of listed buildings’ section of the report. It is considered that in visual, physical and environmental terms, under both baseline and cumulative scenarios, the proposed building would preserve the special architectural and historic interest and heritage significance of the

	<p>synagogue and its setting. There is no harm identified to the Synagogue.</p>
<p>DP9 on Behalf of Merchant Land (33 Creechurch Lane)</p>	<p>Within the published Planning and Transportation Committee Report, there are a number of instances where Officers have attributed impacts on adjacent buildings to the Proposed Development at 33 Creechurch Lane, specifically in relation to daylight, sunlight and overshadowing, and heritage under the Future Baseline 2 Cumulative Scenario. Firstly, disagree with the level of impacts attributed to the Proposed Development at 33 Creechurch Lane and the report inaccurately places the onus on it. This is an error that is repeated throughout the Committee Report. Secondly, do not believe that the alleged impacts of the Proposed Development at 33 Creechurch Lane should be set out within the published Committee Report relating to Bury House without our client first having a chance to respond; the assessment is based on a report that has not been shared with Applicant for the Creechurch Lane scheme.</p> <p>The applicants are currently in discussions with Officers regarding the Proposed Development at Creechurch, we had submitted further/amended details in July 2021 to address previous concerns raised by adjacent landowners and Officers in relation to: impacts on the Grade I Listed Bevis Marks Synagogue and its setting; wind; daylight, sunlight and overshadowing; cumulative impacts; delivery and servicing; cycle parking and construction and buildability.</p> <p>It is worth highlighting that prior to submission of these further details for the Proposed Development at 33 Creechurch Lane, the October 2020 daylight, sunlight and overshadowing assessment (prepared by GIA) had been independently reviewed by the City's external daylight and sunlight consultant (Delva Patman Redler), with the latter concluding that the Proposed Development at 33 Creechurch Lane will create minor adverse impacts in terms of daylight and for sunlight it was deemed that the impacts were major adverse, however this is due to the already low levels of sunlight in the existing conditions. The most important conclusion from both reports was that internal daylighting changes would be imperceptible. For overshadowing, there has been deemed a moderate adverse impact only for the courtyard.</p> <p>In conclusion, whilst the applicant supports the Proposed Development at Bury House, they do not believe that the Proposed Development at 33 Creechurch Lane has been properly represented and do not agree with the level of impact attributed to the Proposed Development of 33 Creechurch Lane throughout the Bury House Planning and Transportation Committee Report. We are concerned that the consideration and determination of our</p>

	<p>client's application would be prejudiced if the "record is not corrected".</p> <p>Ask that when introducing the Bury House item at Committee next week, the officer withdraw and/or appropriately caveat the comments about Creechurch that were included in the Committee Report so as to address our concerns as detailed in this letter.</p> <p>Officers Response to Comments: All information is available on the public register available for all parties to comment on.</p> <p>The results of the EIA and subsequent daylight and sunlight studies submitted by the applicant along with the independent reviews undertaken by City of London have been published on the planning register and has been available for all parties to comment on.</p> <p>The daylight and sunlight information submitted has been reviewed by 5 leading experts and they broadly concur with the conclusions within the submission documents and the report.</p>
Dr J Spitzer	<p>Circumcision is one of the most widely observed Jewish practices, even for the otherwise religiously unobservant. The procedure is usually performed in a synagogue.</p> <p>Raises concerns about the proposed development. Numerous studies have shown that it will have a detrimental impact on light levels within the synagogue. <i>Any further reduction in light</i> in Bevis Marks Synagogue will put the performance of religious circumcision at risk.</p> <p>The Dr conducted a circumcision at the Synagogue on Sunday 3 October 2021, and found that current light levels to be the <i>bare minimum</i> to safely carry out this highly specialised medical religious procedure, which obviously requires sufficient light to be performed correctly and safely.</p> <p>If any further development take place which causes light levels to drop further in the synagogue, even minimally, let alone more significantly, the observance of this essential Jewish practice will be put in peril. Approving such a development could therefore be considered an infringement of the religious rights of our Jewish community, a protected minority. You are therefore duty bound to ensure that lighting in the synagogue is not further reduced <i>at all</i>, as a matter of freedom of religion.</p> <p>Officers Response to Comments: It would be reasonable to assume that the carrying out of medical religious procedures such as circumcisions would be undertaken with supplementary artificial lighting at a high level of illumination in place.</p>

The impact of the proposed development on daylight, sunlight and overshadowing is set out in the main body of the report including the impact of cumulative scenarios taking into account consented schemes and schemes which are currently under consideration.

Your officers commissioned Dr Paul Littlefair of the Building Research Establishment (BRE) to undertake a review of daylight and sunlight impacts of the proposed development. That review includes an assessment of impact on the Bevis Marks Synagogue. BRE consider the Synagogue to have a high sensitivity to loss of light.

The Synagogue lies to the north of the application site and has windows on all four sides. The loss of VSC to the upper windows on the south side would be outside BRE guidelines (i.e. be at a level where occupants of an existing building will notice a reduction in the amount of skylight).

The Synagogue already experiences fairly low levels of daylight and sunlight in the existing condition. The impact on daylight to Bevis Marks Synagogue would be minor adverse with very small absolute VSC (recorded between 1.7%-1.8%.) which would be minimally noticeable in the Synagogue at ground floor level and slightly more noticeable but to a limited area only on the south side at mezzanine.

Dr Littlefair advises that the magnitude of the loss of daylight attributable to the proposal can be classified as 'minor adverse'. He further advises that the overall cumulative effect of the proposal together with other developments on daylight would be classified as a major adverse impact, but that most of the reduction is due to other developments and not the application proposal.

The Synagogue would experience a moderate adverse impact in terms of sunlight (in the annual period absolute reductions range between 7% and 13%). The impact on sunlight would be more marked in the cumulative scenarios, described by Dr Littlefair as a major adverse impact, particularly in the Future Baseline 2 scenario (which assumes all the schemes would be constructed including the unconsented schemes the Tulip and 33 Creechurch Lane).

With regards to Sunlight to the courtyard, in the existing context only 1.5% of the area receives more than two hours or more of direct sunlight access on 21st March. In the proposed condition, this reduces to none of the area receiving direct sunlight.

Officers do not consider that the limited impact of daylight, sunlight and overshadowing to the Synagogue and its Courtyard is of such significance that it would be unacceptable. It would not be considered to diminish the visual appreciation of the internal

	<p>features such as the Bimah, Ark or other interior features of religious, architectural and historic significance and is not considered to impact the existing use nor would it change the pattern of use or religious or community significance of the Synagogue.</p> <p>The impact of cumulative scenarios have been assessed including consented and unconsented schemes. In the cumulative scenario, the Synagogue would experience larger cumulative losses. However, the loss of light would be largely due to the other consented buildings in the cumulative scenarios (in some cases the proposed development under consideration at 33 Creechurch Lane) and very little of it would be due to the proposed development.</p> <p>The adopted and emerging Local Plans indicate that impacts on daylight and sunlight have to be considered within the context of what is appropriate given the City Centre location and the fact that BRE compliant levels of daylight and sunlight are unlikely to be achievable. Account also needs to be taken of the existing levels of daylight and sunlight to the affected rooms, which, for a number of the affected rooms, are already low. It is considered that the proposed development would not reduce noticeably daylight and sunlight in the synagogue and courtyard to unacceptable levels. It is also considered that the daylight and sunlight available to the Synagogue and courtyard is appropriate for its context and would not harm the visual appreciation of the internal features of religious, architectural and historic significance and is not considered to impact the existing use nor would it change the pattern of use or religious or community significance of the Synagogue. The daylight, sunlight and overshadowing assessments have been reviewed independently by two external consultants and they concur with the level of impact. The proposal complies with Local Plan Policy DM10.7 and Policy DE8 of the draft City Plan 2036.</p>
Charlotte Green	<p>“On 27th September 2021 I sent an email requesting the Committee to postpone the Planning meeting for Tuesday 25th September 2021.</p> <p>The fact that the planning agent for the synagogue may have indicated his contentment with the meeting going ahead misses my point.</p> <p>A consultation exercise was fixed in the period of the Jewish High Holidays. The notification of the Committee date was sent out on the Sabbath and a response regarding a request to speak required on a Jewish Holiday.</p> <p>The approach adopted is contrary to the City of London’s Equality Objectives (increasing community engagement, understanding and</p>

listening to communities) and Public Sector Equality Duty. There has been unsatisfactory customer service which has failed to recognise different needs thereby leading to exclusion and discrimination.

Please treat this communication as making a formal complaint and provide it to any designated Equality Officer and the Equality and Inclusion Board from whom I wish to have a response setting out their observations and proposals.”

Officers Response to Comments: The statutory consultation period was for 30 days from November 2020 however all responses from November 2020 to date have been taken into consideration. The Development Control Service of the Department of the Built Environment considers that in accepting representations over an eleven-month period the impacts of religious holidays on the ability of any interested party to make comments has been addressed. Following the deferral of the original committee date on 13 April 2021, to allow opportunity for a site visit, including to the Synagogue, a new committee date was agreed at the P&T committee on 13 April 2021 in consultation with the Synagogue and their representatives taking into consideration the dates when a visit to the Synagogue would be appropriate having regard to religious holidays.

The letters regarding speaking at committee were sent on Friday 24th September 2021 and the deadline for this was on Tuesday 28th September.

There has been an unprecedented number of representations received and a good level of participation from a range of stakeholders including local communities from diverse backgrounds.

If the above clarification does not address the equalities concern complaints may be made via the feedback link (below) which will be provided to the correspondent.

<https://www.cityoflondon.gov.uk/footer/feedback>

Bury Street - Representations from 22.09.2021

Public Access Comments

Objections:

Gillian Howard	22.09.2021
Miss Hannah Nathan	22.09.2021
Dr Noemie Duhaut	22.09.2021
Mr Sid Levine	22.09.2021
Mr Tobias Nathan	22.09.2021
Mr Edward Eric Marcus	23.09.2021
Mrs Hilary Davidson	23.09.2021
Jack Lynes	23.09.2021
Mrs Judith Alexzander	23.09.2021
Misty Jackson	23.09.2021
Patricia Black	23.09.2021
Sheila Rosen	23.09.2021
Cannon Brookes Lighting and Design and Daylight-Experts On behalf of the Bevis Marks Synagogue	24.09.2021
Mr Ray McCall	24.09.2021
Virginia Dean	25.09.2021
Ms Donna Nathan	26.09.2021
Mrs Helen Radcliffe	26.09.2021
Mr Jerry Bond	26.09.2021
Mr Moshe Mankoff	26.09.2021
Stephen Jon Saady	26.09.2021
Ms Kate Samuelson	27.09.2021
Mrs Agnes Grunwald-Spier	27.09.2021
Sian Berry	27.09.2021
Twentieth Century Society	27.09.2021
Rehman Chishti MP	28.09.2021
Mrs Anne Page	30.09.2021
E-J Kurtz	30.09.2021
Mr James Portugal	30.09.2021

Mr Otis Reed	30.09.2021	
Valerie Bello	30.09.2021	
Vanessa Jane Bohan	30.09.2021	
Eve Swabe	30.09.2021	
Westminster City Council	30.09.2021	
DP9 on Behalf of Merchant Land (33 Creechurch Lane)		30.09.2021
Alejandro V Benchoa	01.10.2021	
Mrs Elaine Rubin	01.10.2021	
Mr Fred Rodgers	01.10.2021	
Mr Iain Phillips	01.10.2021	
Irina Rohvarger	01.10.2021	
Joann S Girsh	01.10.2021	
Joel Ezra	01.10.2021	
Marlene Gumbiner	01.10.2021	
Michael Varon	01.10.2021	
Dr Thomas Marks	02.10.2021	
Ronald Beharehar	01.10.2021	
Shoshana Slutske	01.10.2021	
Arlette Levy Harris	02.10.2021	
Christa Fabritius	02.10.2021	
Irene Shomberg	02.10.2021	
Thomas Marks	02.10.2021	
Dr J Spitzer	03.10.2021	
Eileen Hauptman	03.10.2021	
Howard Goldsmith	03.10.2021	
Robert Friedman	03.10.2021	
Susan Sciama	03.10.2021	
Charlotte Green	03.10.2021	
Anna Braddeley	04.10.2021	
Anna Harris-Noble	04.10.2021	
Anthony Ostrin	04.10.2021	
Victor Todd Moses Montefiore	04.10.2021	