Anna Tastsoglou
Planning Team
Environment Department
City of London
PO Box 270
Guildhall
EC2P 2EJ

28 November 2024

Dear Ms Tastsoglou,

Bury House, 1-4, 31-34 Bury Street, London EC3A 5AR: Follow-Up Objection on behalf of The S&P Sephardi Community

On behalf of our client, The S&P Sephardi Community, we write further to our previous letters dated 15 May 2024 and 15 November 2024, in relation to the planning application (ref. 24/00021/FULEIA) and the related Listed Building Consent application relating to the redevelopment of Bury House, 1-4, 31-34 Bury Street, EC3A 5AR.

This letter accompanies two further documents supporting our client's objection to the proposals:

- An assessment of the impact on the Synagogue of the proposed development in Heritage/Townscape terms, prepared by Donald Insall Associates (Appendix 1); and
- A paper by Rabbi Shalom Morris providing further contextual detail on Bevis Marks Synagogue and its setting (Appendix 2).

This letter briefly summarises these additional documents and reiterates our client's objection to the proposed development.

Heritage/Townscape Impact Assessment

Donald Insall Associates has been instructed by The S&P Sephardi Community to prepare a professional third-party assessment of the heritage impacts of the proposals, particularly the impact of the proposed development on the significance of Bevis Marks Synagogue. The report finds that, in summary, the proposals for the Bury Street tall building have a serious adverse impact on the setting and by implication on the special architectural and historic interest of the Grade I-listed Bevis Marks Synagogue.

Guidance on assessing heritage significance in the NPPF (2023) and PPG (2019) defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting'.

This report finds that the significance of the building relates to its architectural quality and its historic significance: it has outstanding historic interest as the oldest purpose-built and continuously-operational synagogue in the UK, and it has special architectural interest as an accomplished Georgian building, but also as a building where this historic use is manifest in the fabric, including its generous extent of fenestration, as well as its courtyard setting which frames the building and allows community and religious activities to take place.

The report concludes that the proposals for a tall building close to the site would cause a high level of harm to the significance of the Grade I-listed synagogue. This harm would result from overshadowing which would efface or seriously affect historic elements of the spatial quality of the architecture, namely the bathing of the interior in light from the south; harm the setting of the synagogue through dominating its important southern backdrop and preventing views to the sky and the moon; and finally, potentially jeopardise or at least diminish the use of the building by the community through reducing its ability to serve as a religious centre through reducing light to the interior and the ability to carry out certain services, including the Kiddush Levana which rely on views of the moon and, therefore, an open sky setting.

Setting Study

Rabbi Shalom Morris has prepared a study of the setting of Bevis Marks Synagogue, with reference to its specific cultural and religious context and Jewish sources. The report draws on sources including Jewish religious law and the communal records kept at the Metropolitan Archives, alongside discussion of the community over time and how it operates today. Reflecting on these sources, the report explains the wide-ranging harm that the proposed tower would cause to the significance of the Synagogue, in terms of harm to:

- The original architectural intent of the Synagogue's design;
- Religiously important sky views;
- Interior light levels necessary for prayer;
- The purposeful functioning of the architecturally significant windows;
- The amenity of the communally important courtyard;
- The meaning of the Synagogue's name; and
- The economic viability of the site.

Summary

The documents enclosed further support our client's position that the proposals would have a substantial and wholly unacceptable impact on the historic, Grade I Listed Bevis Marks Synagogue and the Creechurch Conservation Area within which it sits; and a less than substantial and unacceptable impact upon other heritage assets in the vicinity. The revised proposals do not overcome this heritage harm or come anywhere close to delivering sufficient public benefits to outweigh it.

We have previously set out the reasons for which the application should be refused; we repeat these here for emphasis. It remains clear the applications should be refused, for the following reasons (inter alia):

1. The impact upon the Synagogue (the first previous Reason for Refusal) has not been overcome; the new scheme would be little different from the previous one in its impact. There is now even stronger evidence of adverse impact, including a better articulated objection concerning the heritage/religious/cultural significance of the sky view, and the sensitivity of the Synagogue to changes in light levels.

2. The impact on the World Heritage Site (the second previous Reason for Refusal) has not been overcome; the modelling of the new scheme is a little different, but it still has more-or-less the same substantial impact on a very important view of the Tower of London.

3. The site is now in a Conservation Area, meaning that the scheme's heritage impact (especially on the Synagogue, which is in the same CA) should be given even more weight. City Plan Policy CS14 is very specific in saying that tall buildings proposed in Conservation Areas will be refused.

4. The claimed heritage benefits amount to nothing of substance: it is ridiculous to claim that a 43 storey tower will enhance the Conservation Area, and adding a 4 storey upward extension to Holland House represents harm to that heritage asset, not sensitive restoration.

5. The claimed other public benefits must be viewed with deep scepticism, and certainly don't amount to something to which "very great weight" should be attached. For example, the three storeys of "public access" appears to be nothing more than a meanwhile use.

6. Insofar as there could be some heritage/public benefit, no attempt has been made to demonstrate that the proposed development is the minimum necessary to achieve it. The applicants maintain they are not running an enabling development argument but, in fact, they are. They are arguing to be allowed to erect a building that is specifically contrary to development plan policy, on the basis that their claimed public benefits outweigh the policy presumption and other material considerations. The planning system should only ever accept such an argument if it is demonstrated that what is proposed is the minimum necessary to achieve the claimed benefits.

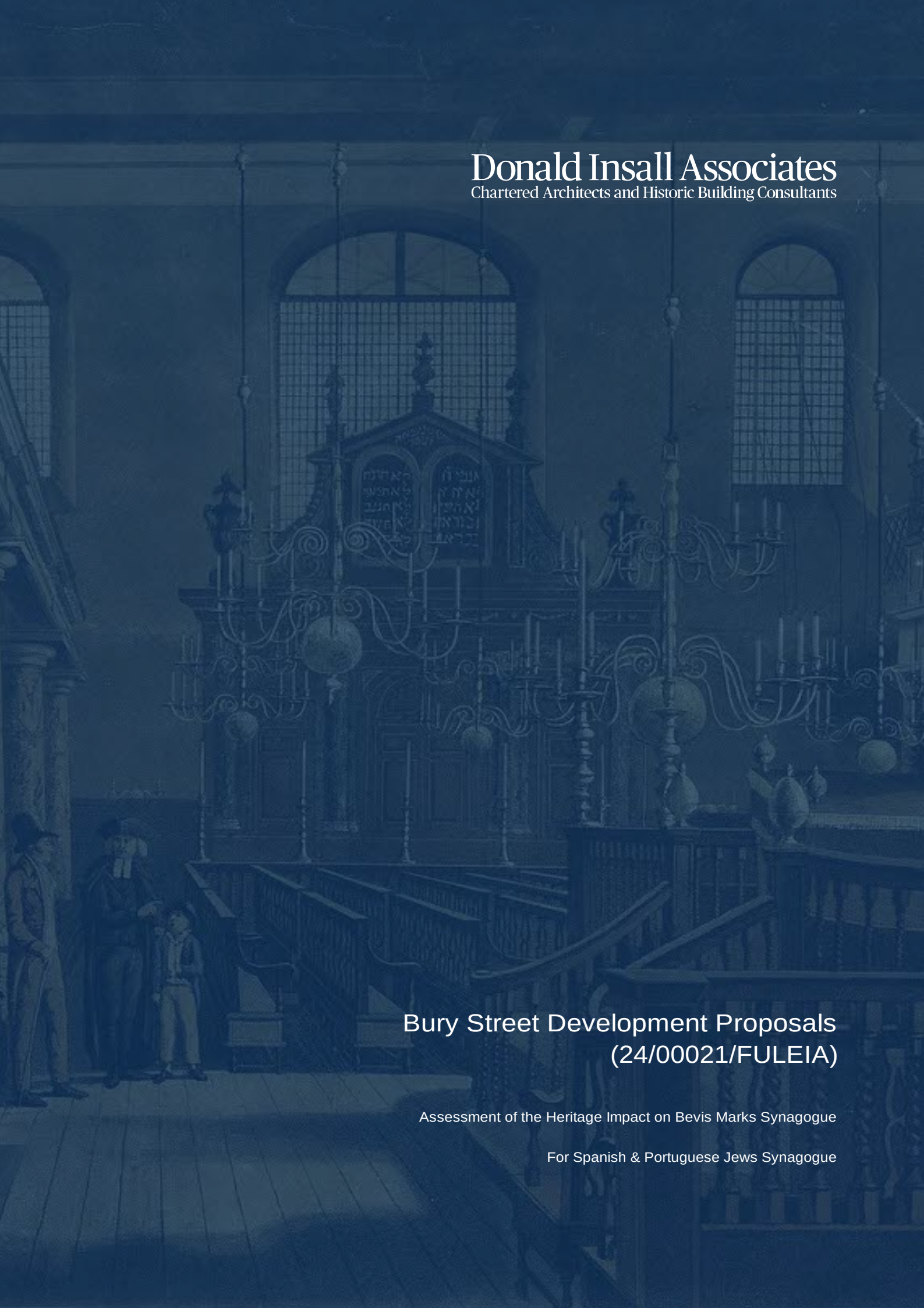
7. The building is believed to be substantially unviable, and the small size of the site is such that it is unlikely a tall building would ever be viable, let alone one that relies upon substantial expenditure upon public benefits for its justification. Planning permission should not as a matter of principle be granted for developments that are unlikely ever to be built (or unlikely to be built except with significant amendment of the proposal and/or the package of claimed benefits which accompanies it).

As planning officers of undoubted integrity, I trust you and your colleagues will recognise the above, and also that any attempt to justify recommending approval would be both improper and wide open to legal challenge.

Yours sincerely,

Roger Hepher
Executive Director

Appendix 1 - Donald Insall Associates Heritage Assessment



Donald Insall Associates
Chartered Architects and Historic Building Consultants

Bury Street Development Proposals (24/00021/FULEIA)

Assessment of the Heritage Impact on Bevis Marks Synagogue

For Spanish & Portuguese Jews Synagogue

Contents

Contact Information

Cordula Zeidler IHBC (Practice Director)
[redacted]

Emily Jenkins (Assistant Researcher)
[redacted]

London Office
12 Devonshire Street
London, W1G 7AB
www.donaldinsallassociates.co.uk

Project Ref:	BEMS.01
Version:	Draft
Issue date:	November 2024
Prepared by:	ERJ
Checked by:	CZ
Version description:	For comment

1.0 Introduction

1.1 Background

Donald Insall Associates were commissioned by the Spanish & Portuguese Jews Synagogue in November 2024 to review proposals on land near Bevis Marks synagogue, namely for the demolition of Bury House and the erection of a new tall office building on the site (24/00021/FULEIA) submitted to the City of London Corporation on 8 January 2024. The proposals are currently under consideration. The site incorporates the Grade II*-listed Holland House and includes proposals for a four storey extension for this listed building (24/00011/LBC). These applications follow a scheme to replace Bury House (20/00848/FULEIA) that was refused on 22 June 2022 on the grounds of its adverse impact on the setting of Bevis Marks Synagogue and on the setting of the Tower of London World Heritage Site.

The proposed building on Bury Street is situated c. 25 metres to the south of the Grade I-listed Bevis Marks Synagogue and sits within the Creechurch Conservation Area [plate 1]. These heritage assets are protected by the law and national and local policy.

This short report is a professional third-party assessment of the heritage impacts of the proposals, particular the impact of the proposed development on the significance of Bevis Marks Synagogue.

The submitted applications are as follows:

24/00021/FULEIA 8 January 2024 Under Consideration

Demolition of Bury House and erection of a new building comprising of 4 basement levels, ground plus 43 storeys (178.7m AOD); partial demolition of Holland House and Renown House; restoration of existing and erection of four storey extension resulting in ground plus 8 storeys at Holland House (48.05m AOD) and three storey extension resulting in ground plus 5 storeys at Renown House (36.49m AOD); interconnection of the three buildings; use of the buildings for office (Class E(g)), flexible retail/café (Class E(a)/E(b)), and flexible community/education/ cultural/amenity (Class F2(b)/ F1(a)- (e)/ E(f)/ Sui Generis) uses; and provision of a new covered pedestrian route, cycle parking and facilities, landscaping and highway improvements, servicing and plant and all other ancillary and other associated works.

RE-CONSULTATION due to the submission of additional information and revised drawings

Restoration works to Holland House including removal and reinstatement of external faience together with the removal and replacement of existing concrete beam; partial demolition to facilitate interconnection with the neighbouring proposed new building and the construction of a four storey roof extension resulting in ground plus 8 storeys; together with internal alterations including truncation of the existing lightwell, reconfiguration of partitions, installation of a new staircase, servicing and all other ancillary and associated works.

RE-CONSULTATION due to the submission of additional information and revised drawings

This report sets out: the history of Bevis Marks Synagogue (in Section 2), its significance (Section 3), provides an analysis of the Bury Street scheme proposals (Section 4) and outlines the impact of the Bury Street scheme on the significance of Bevis Marks Synagogue and the Creechurch Conservation Area (Section 5).

1.2 Summary of Findings

The report finds that, in summary, the proposals for the Bury Street tall building have a serious adverse impact on the setting and by implication on the special architectural and historic interest of the Grade I-listed Bevis Marks Synagogue.

Guidance on assessing heritage significance in the NPPF (2023) and PPG (2019) defines significance as '*the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting*'[1]. This report finds that the significance of the building relates to its architectural quality and its historic significance: it has outstanding historic interest as the oldest purpose-built and continuously-operational synagogue in the UK, and it has special architectural interest as an accomplished Georgian building, but also as a building where this historic use is manifest in the fabric, including its generous extent of fenestration, as well as its courtyard setting which frames the building and allows community and religious activities to take place.

The proposals for a tall building close to the site would cause a high level of harm to the significance of the Grade I-listed synagogue. This harm would result from overshadowing which would efface or seriously affect historic elements of the spatial quality of the architecture, namely the bathing of the interior in light from the south; harm the immediate setting of the synagogue through dominating its important southern backdrop and preventing views to the sky and the moon; and finally, potentially jeopardise or at least diminish the use of the building by the community through reducing its ability to serve as a religious centre through reducing light to the interior and the ability to carry out certain services, including the Kiddush Levana which rely on views of the moon and, therefore, an open sky setting.

1 https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment

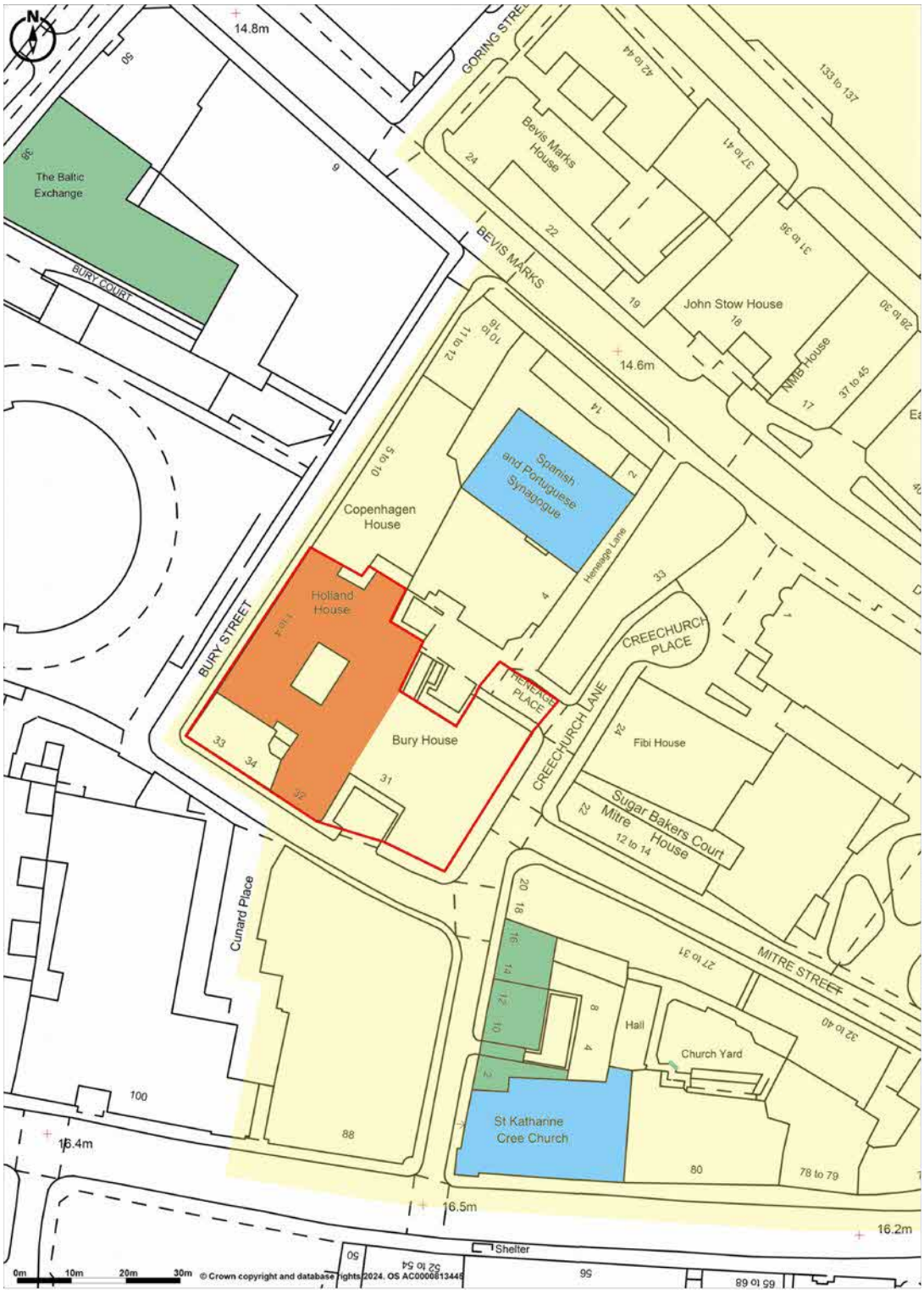


Plate 1

- Site plan of proposals under 24/00021/FULEIA
- Grade II listed
- Grade II* listed
- Grade I listed
- Creechurch Conservation Area

2.0 History of Bevis Marks Synagogue

Bevis Marks Synagogue was constructed in c. 1701 as the first purpose-built synagogue in London and followed the resettlement of Jewish communities in England in the late seventeenth century.

2.1 Re-admittance of Jews and Early Worship in Creechurch Lane

Jews were expelled from Britain in 1290 under an edict issued by Edward I. In the early seventeenth century, Jews from the Iberian peninsula (Spain and Portugal, known as 'Sephardi Jews') settled in the City having left Spain and Portugal in response to the Inquisition. Several came to England via Amsterdam, where they had also gone to escape persecution.[2] These were predominantly Jewish communities who had had to hide their religion in Spain, pretending to be Christian, and continued to do the same in England.[3] However, this community petitioned Oliver Cromwell –initially unsuccessfully –for official readmittance. A second petition, in c. 1656, appears to have received verbal assurance that 'they might meet privately for Jewish worship, acquire a burial-ground, trade as brokers on the Exchange, and enlarge their Community by bringing into England some more Sephardi (i.e. Spanish Jewish) merchants of good standing'.[4] It has been noted that this interview between Cromwell and the petitioners 'in effect, established the Jewish Community of England'.[5]

The Sephardi community first worshipped in a synagogue on Creechurch Lane, to the east of the present-day Bevis Marks Synagogue. This space was located in the upper floors of a pre-existing house and thus represented the ad hoc adaptation and alterations of a structure to the needs of the ever growing community.[6] In 1699, the Sephardi community acquired a 99-year lease of the present-day site of Bevis Marks Synagogue. The site was already occupied by a dense network of buildings fronting onto 'Berry Street', 'Beavis Lane' and Bevis Marks. These buildings backed onto a central courtyard with a central building accessed from alleys from the latter two streets, as can be seen in William Morgan's 1682 map [plate 2]. Under the terms of the lease, the community was permitted to demolish the existing buildings in order to construct a purpose-built synagogue along with, it appears, ancillary community buildings.

2 Sharman Kadish, *The Synagogues of Britain and London* (London: Yale University Press, 2011), 3.

3 Richard D. Barnett and Abraham Levy, *The Bevis Marks Synagogue* (Oxford: for the Society of Heshaim at University Press, 1970), 1-4.

4 Ibid.

5 Ibid.

6 Ibid., 5.

Plate 2 *Morgan Map of London, 1682 with the approximate location of the future Bevis Marks Synagogue marked and showing the tight urban grain which was demolished to make way for the Synagogue (Layers of London)*

2.2 Construction of the Synagogue

The synagogue was constructed between 1699 and 1701 under the supervision of Joseph Avis, a 'Christian master builder'.[7] Little is known about Avis and his precise role in the design of the synagogue remains obscure.[8] Avis is known to have been a 'Cittizen and Merchant Taylor of London' and worked on the Wren city church St Bride's Fleet Street, St James's Piccadilly and the Merchant Taylors' hall.[9] At the synagogue, Avis collaborated with several other craftsmen who had also worked on Wren churches and likely other City projects, situating the project within the broader building tradition of late seventeenth-century London in which the boundaries between architect, builder and craftsmen were blurred.[10]

The construction of the synagogue took place against the background of the increasing prosperity of the Sephardi Jewish community in London. Their ability to construct a purpose-built synagogue indicates the degree of social and economic security they had achieved by the late seventeenth century, giving them the funds and ability to commission a place of worship. The synagogue was built by a prosperous and growing community and within a society with fewer restrictions on Jewish worship following their readmittance to England. The choice of a builder within the establishment of British craftsmen connected to the Wren churches and broader rebuilding of the post-fire City and use of a fashionable, up-to-date architectural style demonstrates the ambition of their patronage. All of these factors mean, therefore, that Bevis Marks Synagogue can be taken in some ways as an ideal synagogue: one which was purpose-built with sufficient funds and one which could therefore respond to established Jewish law, religious practices and traditions, whilst also following current architectural practices in England.

2.3 Design of the Synagogue

While it is not within the scope of this study to delve extensively into the precedents of the architecture, much has been made of the stylistic affinities between Bevis Marks Synagogue and the Sephardi synagogue in Amsterdam, the *Esnoga*, which the Bevis Marks congregation was a daughter of and with which the early leaders of the community had close familial ties.[11] This synagogue has a comparable brick-faced exterior and equally substantial fenestration to illuminate the body of the synagogue which itself is set into a tightly built up townscape. The two synagogues also have similar internal arrangements, namely being accessed through a 'small panelled porch' that opens straight onto the prayer hall.[12] Equally, the synagogue has clear architectural affinities with the new city churches of Christopher Wren. However, it is also significant how the building responds to ideas about worship laid out in Jewish texts that would have guided those responsible for constructing the synagogue. This is dealt with extensively in Rabbi Morris' Objection Letter on Significance and

---

7 The building contract for the site was signed on 12 February 1699, the foundation stone laid on 21 August 1700 and the Synagogue consecrated on 30 September 1701. Kadish, *The* Synagogues, 6-7. The attribution of the synagogue is discussed at length in the synagogue's CMP.

8 Ibid.

9 Ibid.

10 Ibid., 15.

11 Ibid., 3.

12 Ibid., 11.

Rabbi Joseph Dweck's letter appended to the HGH report (15 May 2024), both available on the planning portal. For the purposes of our analysis three elements are most important and will be discussed in detail below:

1. The setting in a private courtyard, which provided
    a. An extension of the internal Synagogue space, where religious worship could happen such as prayers on the appearance of the new moon (Kiddush Levana) which require a view of the night sky
    b. A private space that acted as a buffer between the sacred space of the synagogue and the secular outer world, an effect which was augmented through the entry into the courtyard through a narrow arched passage which opened into a wider courtyard
2. The domination of the synagogue over surrounding buildings, which accorded with Jewish tradition that enshrined that the synagogue ought to be the tallest/most prominent building in a city
3. The provision of generous natural light to the interior and views to the outside world from the interior, which responded to the requirement in the Talmud that 'a person should pray only in a house with windows' (Berakhot 34b), a requirement that had both spiritual and functional objectives.

As originally constructed, the synagogue was situated in the centre of a courtyard and seems to have been originally –or at least from an early date –surrounded by low buildings that were used for other functions of the community such as almshouses, orphanages and schools. The earliest surviving plan of these community structures is from the late-nineteenth century [plate 3]. The plan shows the synagogue at the heart of a wider complex of physically and organisationally interlinked structures that supported the Sephardi community in different ways. The arrangement of the synagogue at the heart of a courtyard is first shown on John Rocque's 1746 Map, which shows the rectangular 'Jews Synagogue' accessed through a narrow alley from Bevis Marks which widened into a generous U-shaped courtyard that surrounded the synagogue to the north, west and south [plate 4]. This linked to a subsidiary space to the south which was accessed from Heneage Lane.

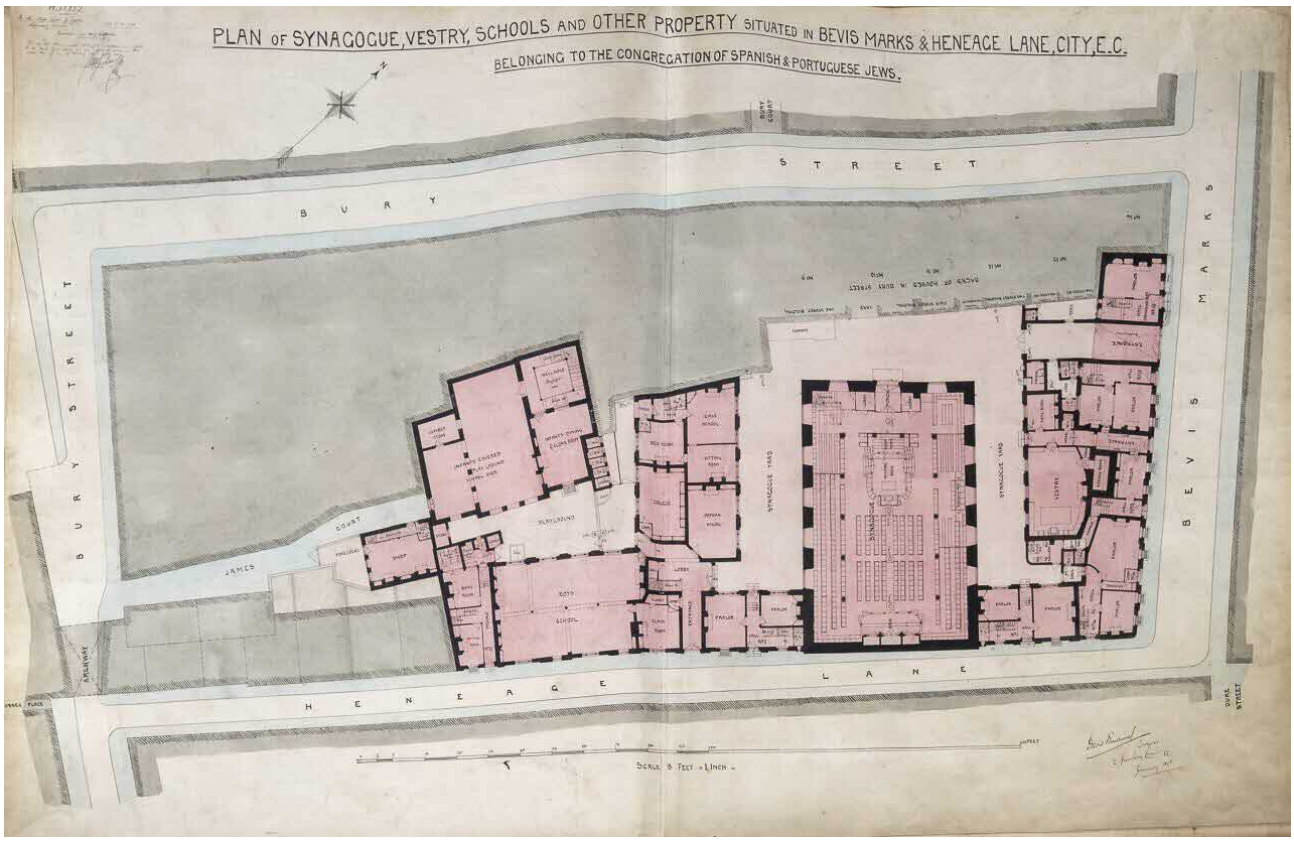


Plate 3 *Plan of Synagogue, Vestry Schools and Other Property Situated in Bevis Marks and Heneage Lane, City, E.C., belonging to the Congregation of Spanish & Portuguese Jews, 1876 (Bevis Marks Synagogue)*

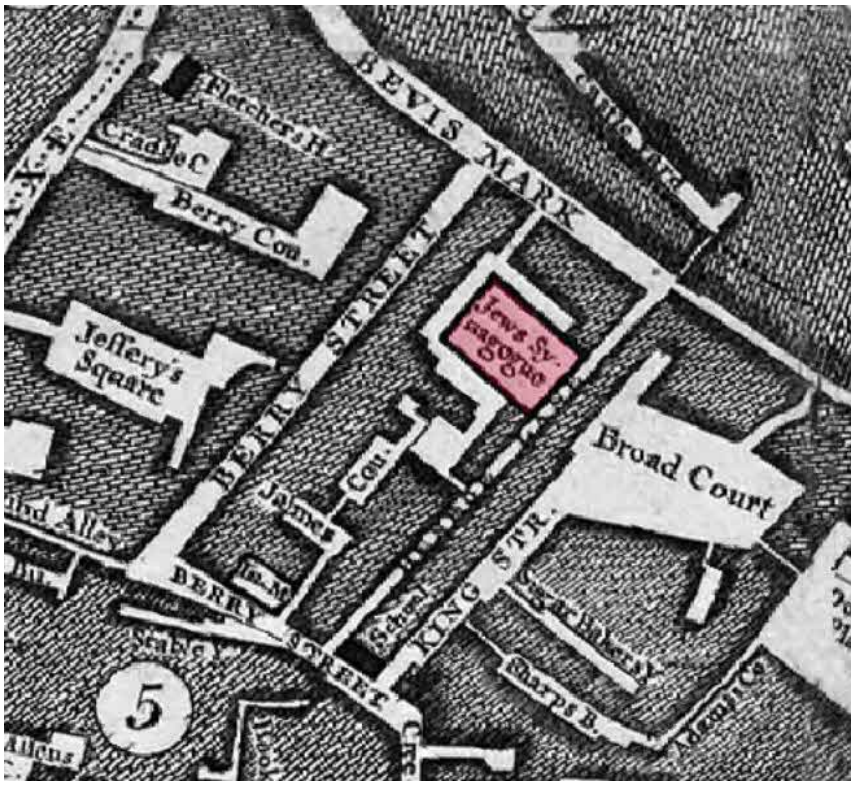


Plate 4 *Rocque Map of London Westminster and Southwark, 1746. Note the presence of the U-shaped courtyard around the Synagogue (Layers of London)*

The courtyard appears to have always been considered a central space of the synagogue with early references to it being paved in free stone and a stone mason recorded as having paved the courtyard.[13] The explicit reference to the treatment of the courtyard in early documentation makes clear that this was conceived as part of the commission for the synagogue itself and was intended to be closely linked to the synagogue's architectural impact and religious function. Moreover, it has been noted that in typical synagogue architecture, a vestibule separates the street from the prayer hall. In the Sephardic tradition, however, the vestibule did not develop as part of the building typology, in part following the model of the Esnoga, the Sephardi synagogue in Amsterdam.[14] In these buildings 'the lack of vestibule' is compensated for 'by the existence of a courtyard'; hence, the courtyard was seen as an extension of the building itself.[15] While it has been suggested that the location of the synagogue within the courtyard was because of restrictions placed on the construction of synagogues on high streets, its position clearly had significance for the liturgical function of the building itself.[16]

This arrangement –of the synagogue in a courtyard surrounded by community buildings –was maintained throughout the eighteenth and nineteenth centuries and is shown on the Goad map of 1887. This shows how the synagogue related to neighbouring buildings and highlights that, despite the presence of larger warehouses to the synagogue's west, many of the surrounding structures were still low-rise [plate 5].

Plate 5 *Goad Map, 1887. Note that several surrounding buildings were still in use by the Sephardic Community and that most buildings were still of a modest scale (Layers of London)*

13 Ibid., 6.

14 Ibid., 10-12.

15 Ibid.

16 Ibid., 5.

The exterior of the synagogue is shown in a contemporary print which shows the synagogue rising above the surrounding buildings [plate 6]. The view in the print shows the building from the northeast, the angle that the visitor or worshipper first perceives when entering the private courtyard through the arched entrance on the public street, Bevis Marks. From this angle, the building clearly was intended to dominate over its surrounding structures.

The form of the building itself was informed by the religious needs of the community. It was dominated on the interior and exterior by large multi-pane windows. On the north and south elevations, there were smaller windows that lit the ground floor and larger round headed windows at the level of the internal gallery. Windows on the eastern side were elevated above the Arc and on the western side, above the entrance porch. Early images emphasise that the space was configured to be flooded with light, which served both spiritual purposes and functional purposes as it provided light for people to read prayers. These images include an early nineteenth-century print which shows the play of light and shadow across the floor [plate 7], an 1884 watercolour that shows the even lighting achieved due to the generous windows on all sides [plate 8] and a late nineteenth-century print which literally renders the beams of light emanating from above through the southern windows, casting light onto the Arc and seats which would house the congregation during services [plate 9]. The images make clear, as is still the case in the synagogue today, that the space was dominated by these large, clear windows. Besides the light from the windows, the interior was historically lit by seven chandeliers. These chandeliers are, today, fairly inaccessible and take an hour to light and an hour to extinguish by hand. It could be presumed that they were predominantly used at night and that the interior was light enough for worship during the day without the aid of artificial light.

Not only was the provision of light important, views of the outside world were also important in Jewish worship. As is outlined in Rabbi Morris' report on the setting of the synagogue, also available on the planning portal, views of the outside were significant because of the importance of knowing the time of day, traditionally understood through views of the sun and night sky, to instigating Jewish prayer. In particular, the appearance of stars in the night sky traditionally was used to demarcate the end of the Sabbath, whilst the passage of the sun in the daytime was used to indicate times for prayer and worship. The large and multiple windows in the synagogue, then, both permitted views to the outside world that permitted the demarcation of the passage of time and thus the call to prayer as well as serving a functional purpose of lighting the interior.

While elements of the fabric of the interior and exterior have been renewed –namely the pane glass and the paving to the courtyard –the overall configuration of the building envelope and much of the courtyard have remained the same, reflecting the enduring use by the same community of Sephardi Jews who built the synagogue over 300 years ago.[17]

17 The Synagogue's Conservation Management Plan discusses alterations in detail.

Plate 6 *View of Bevis Marks Synagogue from the northwest in 1891, showing the Synagogue's original setting in an open courtyard with low ancillary buildings to its south and east (Bevis Marks Synagogue)*

Plate 7 *Print after Belisario of the interior of Bevis Marks Synagogue showing two visitors. Note the play of light on the floor (MeisterDrucke)*

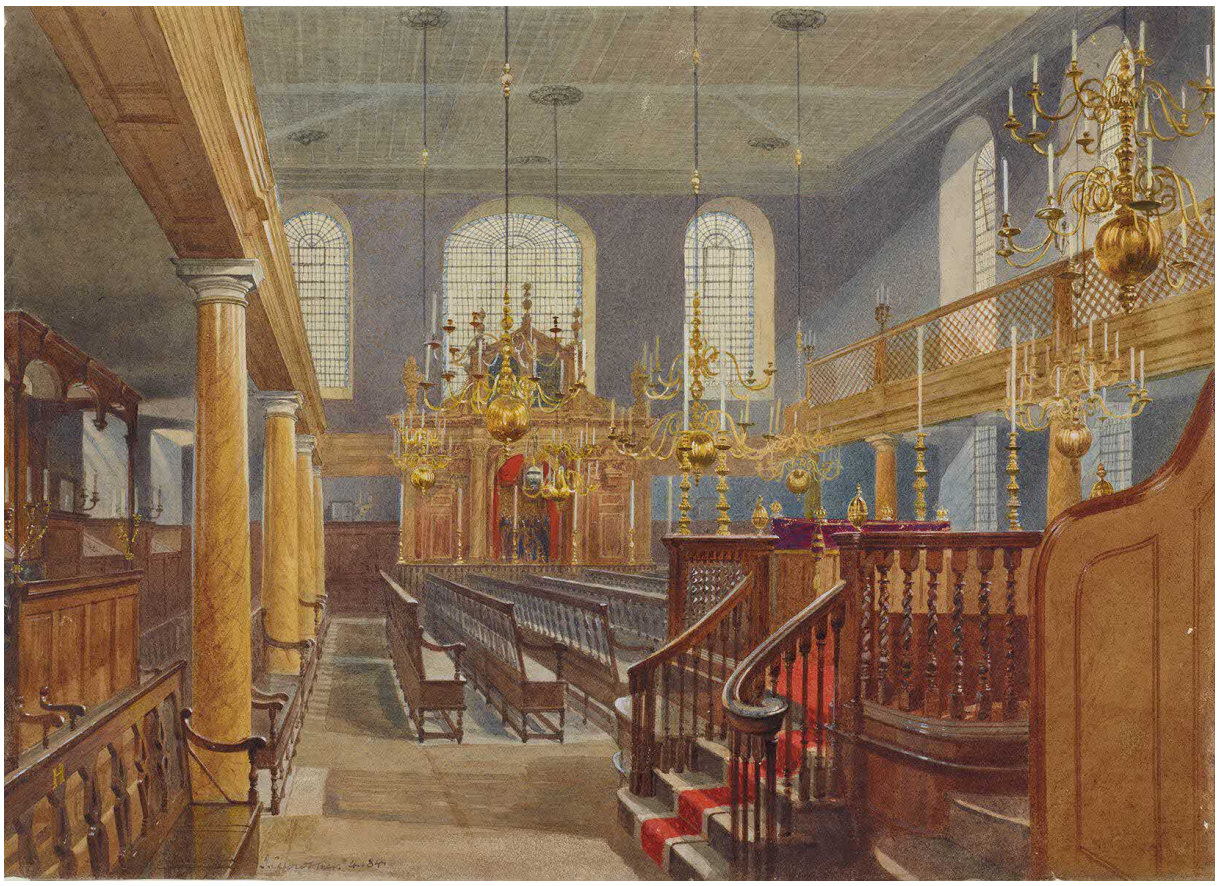


Plate 8 *Watercolour of the interior of Bevis Marks Synagogue, 1884. Note the even light cast through the windows and the importance of the bright light coming through the windows to the appearance of the space (LPA)*

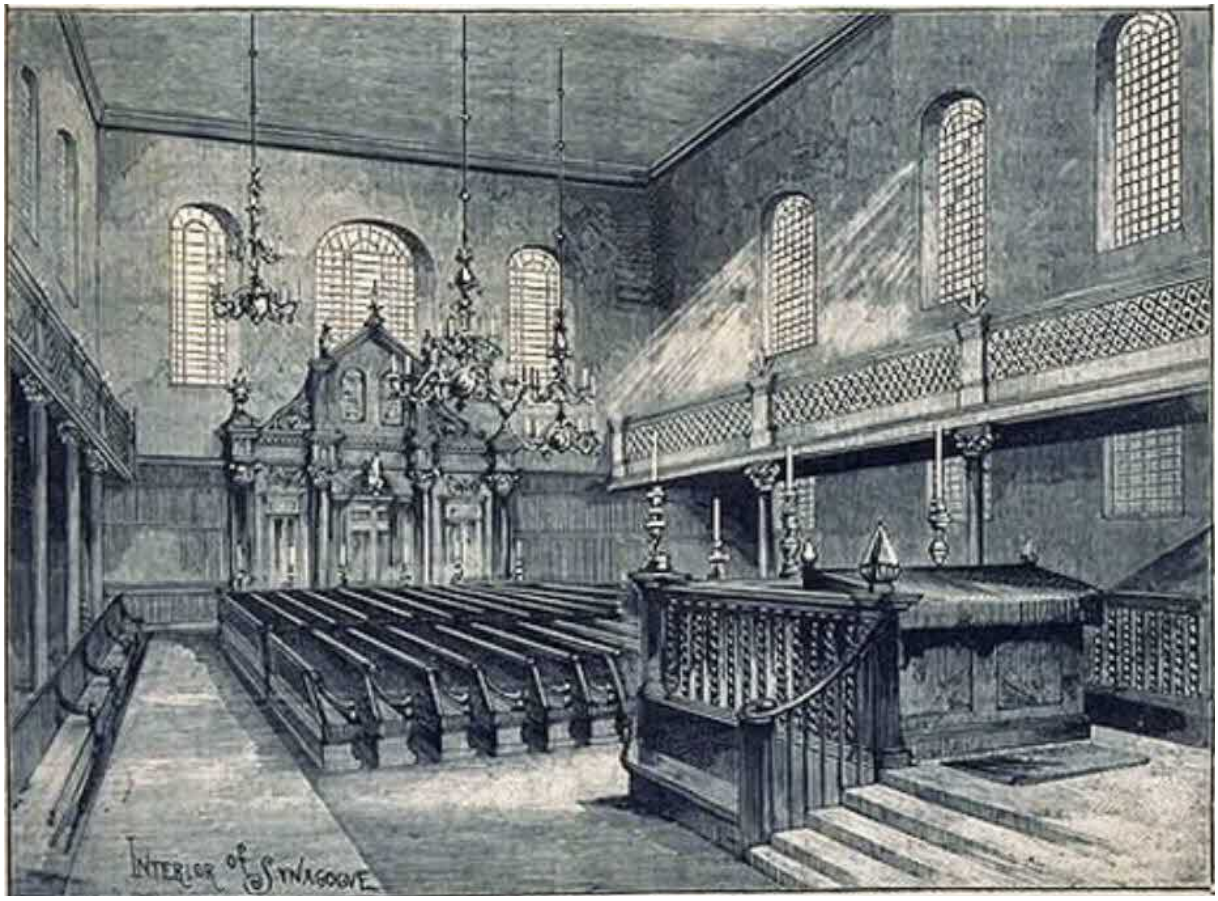


Plate 9 *Print of the interior of Bevis Marks Synagogue in 1891, with emphasis placed on light streaming in through the southern windows (Bevis Marks Synagogue)*

2.4 Later Changes to the Synagogue's Setting

The wider setting of the synagogue has evolved, firstly in the late nineteenth century when it itself was threatened by demolition in 1886.[18] This ultimately led to the demolition of some of the surrounding buildings and their replacement with new structures, such as the houses and offices that flank the synagogue on its eastern side and open onto Heneage Lane. Comparison of the OS Town Plan from 1896 [plate 10] and that from 1916 [plate 11] shows the infilling of the open space to the rear of some of the buildings to the west of the synagogue thus creating a solid wall to the south of the synagogue as well as broader redevelopment in the area such as the replacement of small blocks on Bury Street with the larger Holland House.

The setting has continued to evolve through piecemeal redevelopment of neighbouring plots over the course of the twentieth and twenty first centuries. Except for the Victorian buildings that flank the synagogue on the eastern side, the courtyard is now entirely surrounded by relatively modern buildings. However, these buildings remain of a fairly modest scale, despite being taller than the synagogue. This means that they still permit views to the sky and do not feel overbearing. It is notable that the buildings that form the southern side of the courtyard seem to have been intentionally designed to respond to the height of the synagogue [plate 12]. While both are taller than the synagogue, they have clearly delineated lower storeys and mansard roofs. The cornice line of the lower storeys is similar to the height of the synagogue, especially when seen from an oblique angle, and the mansard roofs are sloped away from the synagogue, thereby allowing the synagogue to still feel as if it is the dominant building in the courtyard. To the immediate south of the synagogue, the courtyard was infilled in the twentieth century with a glazed structure which has since been replaced with a single-storey visitors' centre and museum for the synagogue, due to be completed in 2025.

In the wider settings, there are tall buildings to the south constructed in recent years which are visible from the courtyard. These include 40 Leadenhall and 52-54 Lime Street. Because they are further from the site than the proposed Bury Street tall building, their impact on its setting is more limited and there is still sky seen between them and a sense of distance maintained between these buildings and the courtyard. There are also modern tall buildings to the east and west of the synagogue.

So, in summary, the synagogue represents a purpose-built religious building that articulated the aspirations of the burgeoning Sephardi Jewish community in the late seventeenth and early eighteenth centuries and which can be understood as an ideal synagogue structure due to its correlation to statute in Jewish texts. The form of the synagogue and courtyard were fundamentally related to its use as a synagogue in the period of its construction and in the subsequent centuries to the present day, and its open courtyard with sky views forms an intrinsic part of the significance of the synagogue, both spatially and functionally.

18 Barnett and Levy, *The Bevis Marks Synagogue*, 9.

3.0 Assessment of Significance of Bevis Marks Synagogue and its Setting

3.1 Policy Context

The purpose of this section is to provide an assessment of significance of Bevis Marks Synagogue in order to evaluate the impact of the proposals for a new tall building on Bury Street on that significance in section 5.

This assessment responds to the requirement of the National Planning Policy Framework to 'recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance'. The NPPF defines significance as:

> '*The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological (potential to yield evidence about the past), architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting'.*

The National Planning Practice Guidance (NPPG) was published on 23 July 2019 to support the National Planning Policy Framework (NPPF) and the planning system. It includes particular guidance on matters relating to protecting the historic environment in the section: Conserving and Enhancing the Historic Environment. It provides relevant guidance as to how to assess the significance and setting of a heritage asset. On significance the PPG says:

Paragraph 6: What is "significance"?

'*Significance*' *in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting.*

The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, architectural, artistic or historic. This can be interpreted as follows:

- ***archaeological interest****: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.*
- ***architectural and artistic interest****: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.*

- ***historic interest****: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.*

In legislation and designation criteria, the terms 'special architectural or historic interest' of a listed building and the 'national importance' of a scheduled monument are used to describe all or part of what, in planning terms, is referred to as the identified heritage asset's significance.

And on setting:

Paragraph 13: What is the setting of a heritage asset and how should it be taken into account?

The setting of a heritage asset is defined in the Glossary of the National Planning Policy Framework.

All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not. The setting of a heritage asset and the asset's curtilage may not have the same extent.

The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights of way or an ability to otherwise access or experience that setting. The contribution may vary over time.

3.2 Assessment of Significance of Bevis Marks Synagogue

Bevis Marks Synagogue is a Grade I-listed building located within the Creechurch Conservation Area. It was constructed between 1699 and 1701 as the first purpose-built synagogue of the Sephardi Jewish community in England and has been in continuous use as a synagogue by the community since. The building is rectangular and constructed of brick, with generous multi-paned windows on all four sides, informed by the church architecture of Sir Christopher Wren and the architecture of the Sephardi *Esnoga* in Amsterdam which had strong links to the London Sephardi community in the seventeenth century. It is situated within a courtyard accessed from Bevis Marks and its rear elevation fronts onto Heneage Lane.

As a Grade I-listed building, Bevis Marks Synagogue has been recognised to have an **exceptional**[19] **degree of architectural and historical interest and significance**. Its historical interest lies in its status as the oldest purpose-built synagogue in Britain in continuous use. The building's historical and architectural interests are closely intertwined. As discussed in section 2, there are three elements of the synagogue that were likely informed by the functional and liturgical needs of the congregation, when first constructed, namely:

- its setting within a private, open courtyard with sky views which formed a spatial and functional extension to the interior of the synagogue,
- the domination of the synagogue over its surroundings,
- and the provision of ample natural light to the interior which had liturgical and functional importance.

These needs dictated the form that the building took and its situation in a generous courtyard. Internally, the provision of large multi-paned clear plate glass windows, opening onto the courtyard and unobstructed by surrounding buildings, defined the spatial quality of interior, making it feel like a light, open space connected to the outside world. These elements related closely to the historical uses of the building.

The building survives largely intact both internally and externally, with these key features still well-represented, if somewhat obscured by encroaching development. Whilst there have been alterations, such as the introduction of some artificial light in the 1920s, likely in part to alleviate the task of lighting and extinguishing the chandeliers which takes several hours, the configuration of the structure has remained legible. As such, the original function of the building is manifest in its fabric and form and this allows us to understand how the space was used historically. Hence, architectural and historic significance of the building is **exceptional** as it illustrates how Sephardi Jewish communities have worshipped in Britain for the past 300 years in a building of high quality.

Moreover, the building remains in use by the community for whom it was constructed and this continuing use by the Spanish and Portuguese Sephardi Jewish community forms an inherent part of its significance. Historic England, the government's statutory advisor for heritage matters, provides guidance on how such elements of significance should be assessed in *Conservation Principles* (2008). It describes 'communal

19 Definitions of statutory listing grades are provided here: https://assets.publishing.service.gov.uk/media/5beef3c9e5274a2b0b4267e0/Revised_Principles_of_Selection_2018.pdf

value' as a tool for assessing significance, which includes social value ('associated with places that people perceive as a source of identity, distinctiveness, social interaction and coherence') and spiritual value which is defined as:

> *59. Spiritual value attached to places can emanate from the beliefs and teachings of an organised religion, or reflect past or present-day perceptions of the spirit of place. It includes the sense of inspiration and wonder that can arise from personal contact with places long revered, or newly revealed.*
> *60. Spiritual value is often associated with places sanctified by longstanding veneration or worship, or wild places with few obvious signs of modern life. Their value is generally dependent on the perceived survival of historic fabric or character of the place, and can be extremely sensitive to modest changes to that character, particularly to the activities that happen there.*

In the case of Bevis Marks Synagogue, these criteria are central to understanding the significance of the building. The building's exceptional special interest and significance resides primarily in its status as the UK's oldest synagogue, the UK's first purpose-built synagogue and its continuing use as a synagogue for the same community who built it, those for whom it has social, communal and spiritual value. The contribution of the **use** of the building to its significance, then, is of **exceptional** importance. The enduring relationship between the fabric of the building and the functioning of the community is essential to its significance.

The building's **setting**, in particular, its courtyard, but also its wider setting visible from the building and the courtyard, make a **very strong contribution** to its significance and speak to the building's historic function, architectural interest and present-day use. The courtyard outside the building has been its setting since it was constructed and it seems evident that it was specifically conceived to have functional and liturgical purposes. The building's setting in this enclosed courtyard maintains the historic setting of the building and therefore contributes strongly to its **historic and architectural interest.** The courtyard afforded the synagogue a high degree of privacy, which was important to its historic use.

Not only is the courtyard the space from which the synagogue is meant to be seen, it also was conceived to ensure the provision of light into the interior of the synagogue and to form an external extension of the building in which services could take place. These services and the provision of light were predicated on the relationship to the broader setting. This is recognised to be an element of setting protected by the law, as explained in NPPG (2019), which states that '*the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.*' Environmental factors can be taken to include light and landscape, which includes the sky, and, in the case of the synagogue, these are factors that contribute strongly to the building's significance. The relationship between the building and its surrounding environment, namely retained sky views which have liturgical and functional importance, are an important part of its significance. That these were recognised by the original community who used the synagogue is perhaps made evident by the synagogue's name, 'the Gate of Heaven', which could be taken symbolically to gesture towards the relationship between the building

and the sky above The importance of this sky view for the practising community today is paramount, because the courtyard is a space of arrival, prayer and community gatherings. While the synagogue's setting has been negatively impacted by the construction of towers to its south and west, it still retains a sense of open-ness, in large part because these towers are set back from the site and do not dominate its setting.

The synagogue's setting, then, is defined by both its physical relationship to its historic courtyard and immediate surrounding low-rise buildings, but also by its relationship to its broader environment which includes elements of the natural environment experienced by the viewer and worshipper on site, including the sky views and natural light.

It should be noted that the draft City of London Local Plan 2040, currently under inspection, has attempted to define the 'immediate setting' of Bevis Marks synagogue in a policy map (figure 27). The synagogue's 'immediate setting' is referenced in Strategic Policy S21: City Cluster and Policy HE1:Managing Change in the Historic Environment. The Plan identifies solely the blocks immediately abutting the synagogue's courtyard as the 'immediate setting' of the building (thereby excluding Bury House and the sites of other towers to the south of the Synagogue). This assessment has already been challenged by Historic England as well as the synagogue and it is important to note that the wider setting, not just the buildings abutting a listed building, is considered part of the setting of a building as assessed in policy.[20]

In summary, the building is of **exceptional national significance**, significance which is derived from **architectural and historical interest, communal value** and **the building's setting.**

20 Historic England's comments on the 'immediate setting' proposal contained in HE1 and S21 are in LD8 Consultation Statement Appendix 9 (https://www.cityoflondon.gov.uk/assets/Services-Environment/LD8-Appendix-9-City-Plan-2040-Regulation-19-Consultation-Responses.xlsx).

4.0 Bury Street Proposals

The proposals contained within application 24/00021/FULEIA cover the site of Bury House, Holland House and Renown House, located between Bury Street to the west, Bury Street to the south, Creechurch Lane to the east and Valiant House to the north. The proposals, designed by Stiff + Trevillion, seek to demolish Bury House, a post-war office building, and replace it with a new tall building which would consist of 4 basement levels, ground floor and 43 storeys. It is proposed that the new tall building which would have facades comprised of rows of rectangular windows and be clad in terracotta tiles between the PPC glazed windows. The site of the new tall buildings is about 25 metres to the south of Bevis Marks Synagogue.

The proposals also seek to make alterations to Holland House and Renown House which involve partial demolition and the construction of extensions. For the Grade II*-listed Holland House, which is also subject to a listed building consent application (24/00011/LBC), it is proposed to *inter alia* add a four-storey extension. This restoration includes the 'removal and reinstatement of external faience', reopening a historic entrance on Bury and, in part, also refers to internal demolition which is proposed of features identified as later alterations, as well as the removal of other modern interventions. Demolition to facilitate interconnection between the three buildings is also proposed as well as other internal alterations. A three-storey extension is proposed for Renown House which is an unlisted historic building.

The project's Design and Access Statement summarises the benefits proposed by this scheme. These include: the provision of a floor of affordable workspace in Holland House, the creation of routes including the extension of Heneage Lane, creation of further active frontage, and new public space, and heritage benefits which entail the repair and restoration of Holland House and the unlisted Renown House. The DAS additionally highlights the sustainability, biodiversity, delivery and transportation, SME and economic provisions of the project.

5.0 Impact of the Bury Street proposals on the significance of Bevis Marks Synagogue, its setting and the Creechurch Conservation Area

5.1 Impact of the Proposals on the Significance of Bevis Marks Synagogue

The proposed scheme for the construction of a 43-storey tall building on Bury Street would have an adverse impact on the significance, including setting, of the Bevis Marks Synagogue.

Several grounds for heritage objections to the scheme have been raised by Historic England and other statutory bodies and other objectors. The report produced by Alex Forshaw and appended to HGH's objection letter outlines the impact of the scheme on the setting and significance of various designated and non-designated heritage assets, including, notably the Grade II*-listed Holland House to which proposed extensions would cause harm. We concur that the proposals for a 4-storey extension to Holland House would create harm to its significance because of the considerable extent of the proposed roof extension set above the building's fine street frontage.

This report deals primarily with the impact on the setting of Bevis Marks Synagogue and how this impact would affect the significance of Bevis Marks Synagogue.

As identified in section 3, the synagogue's significance lies in its exceptional historic and architectural special interest as the first purpose-built synagogue in Britain and one which is largely still intact and thus reflects the historic worship practices of the Congregation, in its continued use by the community and in its setting which was central to the functional and liturgical uses of the building historically and in the present day. As we identified in section 3, in accordance with the NPPG, the setting of the synagogue is not formed solely by the buildings immediately abutting its courtyard, but rather encompasses a wider environment which includes the light conditions and views to the sky and the moon, currently present on the site. The HTVIA provided by the applicant incorrectly identifies the setting as limited to the courtyard, writing that *'the contribution that setting makes to the heritage significance of Bevis Marks Synagogue is very localized, and the wider setting, beyond Heneage Lane and the courtyard, where the Site lies, does not contribute to this significance.'* This assessment does not take into account all available information about how the setting relates to the building's use and significance.

Indeed, the assessment of the setting provided in the refusal of the previous application for a tall building on the site –which was not substantially different to the current proposal –acknowledged that the building's setting is wider than the immediate courtyard. The refusal letter states:

1. *The development would adversely affect the setting of the Grade I listed Bevis Marks Synagogue and its setting and amenities by reason of the overbearing and overshadowing impact of the development on the courtyard of the Synagogue*.

In the case of this application, the proposed benefits did not outweigh the public benefits of the proposals and thus ran contract to Local Plan and London Plan policies. So, it has been previously acknowledged that the setting contributes to the significance of the building, as we have also found in this report.

The proposed scheme would impact on the historic and architectural significance of the synagogue, its setting and its use, principally through overshadowing. The new tall building would:

1. Impact the setting of the synagogue which was historically characterised as open to the sky, a characteristic which has survived, albeit in slightly lesser form due to some new, taller buildings in the vicinity, to the present day. The openness to the sky is important to the courtyard as it communicates that it was intended to be a space of worship, particularly in relation to the moon (and would therefore be harmed by the tall building blocking views of the moon), and a space for communal gatherings which would be compromised by the additional overlooking and the overbearing character of a very tall building in close proximity;
2. Provide a new backdrop to the synagogue and harm its architectural interest, as tall building would be very close and out of scale to the buildings fronting the courtyard and the synagogue itself, as the synagogue was intended to be dominant in its setting, responding to Jewish religious law;
3. Impact the provision of natural light and views to the sky from inside the synagogue which may compromise the continued use of the synagogue by its community and would reduce the building's functionality by reducing the usable space.

These amount, cumulatively, to serious harm to the heritage asset's significance.

National legislation and policy impose duties upon local planning authorities to consider the impacts of proposals upon listed buildings and conservation areas.

The Planning (Listed Buildings and Conservation Areas) Act 1990 is the legislative basis for decision making on applications that relate to the historic environment. Section 66 of the Act imposes a statutory duty upon local planning authorities to consider the impact of proposals upon listed buildings and their settings. It states that:

> *In considering whether to grant permission for development which affects a listed building or its setting, the local planning authority, or as the case may be the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*

The National Planning Policy Framework (NPPF) (December 2023) sets out the Government's planning policies for England and how these are expected to be applied. The NPPF requires that, with regards to the significance of a heritage asset:

> *201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*

Local planning authorities are required to take into account '*the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*' (paragraph 203) in determining applications. Should a proposal cause harm to the significance of a designated heritage asset, the Local Planning Authority is required to give '*great weight*' to '*the asset's conservation (and the more important the asset, the greater the weight should be)*' (paragraph 205). The NPPF continues to note that harm to a designated heritage asset must be justified:

> '*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.*' (paragraph 206).

So, national legislation and policy requires that decision makers consider the impact of proposals on the significance of surrounding heritage assets; it is evident that the impact of the Bury Street proposals on the Grade I-listed Bevis Marks Synagogue's architectural and historic significance through the impacts on its setting, therefore, must be considered fully by the City of London Corporation and inform the determination of the application.

There is genuine concern amongst the community that uses Bevis Marks Synagogue that the harm to the setting and interior of the synagogue that would be caused by the approval of this tall building could lead to the synagogue no longer being a suitable and functional space of worship, as certain rituals could not be performed, such as the prayer said to the waxing moon, and as parts of the interior would be plunged into darkness, making difficult or even preventing their use by the Congregation. Were the Congregation to leave the synagogue, this would impact greatly the significance of the structure, which, as we have discussed above, is closely tied to its status as the oldest purpose-built synagogue in the UK and its continued use by the Sephardi community. In turn, the long term conservation of the building would be put at risk. These are impacts to the listed building that the City Corporation should also take into consideration when determining this application.

As discussed above, legislation and national policy requires that Local Planning Authorities take into consideration the impact of proposals on the significance and setting of heritage assets. Local and Neighbourhood Plans are the means through which Local Planning Authorities articulate how they will apply national policy to local situations and refine the requirements put in place by central government. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. The London Plan (March 2021) and City of London Local Plan (January 2015) have policies which are relevant to the issues at hand.

The London Plan's Policy HC1 Heritage conservation and growth requires that

> '*(C) Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process'.*

Also relevant to the proposals is the London Plan's Policy D9 Tall buildings which states that

> '*(d) proposals [for tall buildings] should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.*

The City of London's Plan (January 2015) similarly protects the setting and significance of heritage assets.
Core Strategy Policy CS12: Historic Environment states the need

> '*to conserve or enhance the significance of the City's heritage assets and their settings and provide an attractive environment for the City's communities and visitors, by:*
>
> 1. *Safeguarding the City's listed buildings and their settings, while allowing appropriate adaptation and new uses [..]'*

Policy DM 12.1 relates to the need to manage change affecting all heritage assets and spaces and states the desire

1. *To sustain and enhance heritage assets, their settings and significance.*
2. *Development proposals [..] that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development [..].*
3. *[..]*
4. *Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.'*

It is essential, then, that the decision makers, in line with national and local policies, evaluate the impact that the proposals for the tall building on Bury Street would have on the setting and, in turn, the significance of Bevis Marks Synagogue.

Based on our analysis, we believe that these proposals would cause serious harm to the Grade I listed heritage asset, and therefore, require that the harm be outweighed by the public benefits put forward by the scheme. The public benefits of the scheme, however, in our view fall short of outweighing the serious harm to the synagogue.

Following the NPPF, 'great weight' must be given to the conservation of the Grade I listed building. These proposals would fail to do so. Instead, they would adversely impact the setting and its contribution to the significance of the synagogue, and cause harm the architectural and historical interest of the building, and thus the proposals, as they stand, threaten the building's conservation.

5.2 Impact of the Proposals on the Creechurch Conservation Area

The proposed development would also impact the character and appearance of the Creechurch Conservation Area which was designated in 2024. The Conservation Area Character Summary and Management Strategy is currently under preparation by the City Corporation.[21]

The area is characterised by predominantly mid-rise buildings and is dominated by historic buildings and street patterns; the Creechurch Conservation Area Proposal identifies, in particular, the late nineteenth century warehouses on Creechurch Lane and Mitre Street, the Edwardian Aldgate School, the three religious buildings (most importantly Bevis Marks Synagogue) and several open spaces as defining the area's character and appearance, which is also notable for its association with the history of Jewish communities in Britain.

The legislation and policy discussed above also have requirements for the decision makers when dealing with development within conservation areas.

Section 72(I) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

> *[..] with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.*

A Conservation Area constitutes a designated heritage asset in its own right and therefore the policies discussed above in the NPPF are also relevant here and the Local Planning Authority must give '*great weight*' to '*the asset's conservation*'.

However, the NPPF does also state in paragraph 213 that:

> *Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 207 or less than substantial harm under paragraph 208, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*

Hence the loss of Bury House, which does not contribute to the Conservation Area, is not in itself problematic. However, the impact of the replacement building is.

21 Creechurch Conservation Area - City of London

The City of London Local Plan (January 2015) states in Policy DM 12.2 Development in conservation areas that *'1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.'*

In Core Strategic Policy CS14: Tall Buildings the conditions in which a tall building will be acceptable or unacceptable are stated:

> '*To allow tall buildings of world class architecture and sustainable and accessible design in suitable locations and to ensure that they take full account of the character of their surroundings, enhancing the skyline and provide a high quality public realm at ground level, by:*
>
> 1. *Permitting tall buildings on suitable sites within the City's Eastern Cluster.*
> 2. *Refusing planning permission for tall buildings within inappropriate areas, comprising: conservation areas; the St. Paul's Heights area; St. Paul's protected vista viewing corridors; and monument views and setting, as defined on the Policies Map.*
> 3. *Elsewhere in the City, planning proposals for tall buildings only on those sites which are considered suitable having regard to: the potential effect on the City skyline; the character and amenity of their surroundings, including the relationship with existing tall buildings; the significance of the heritage assets and their settings; and the effect on historic skyline features.'*

While the site of Bury House is located within the City's Eastern Cluster, the site is clearly not a 'suitable' one due to its proximity to Bevis Marks Synagogue and the impact of the proposals on its setting and significance. Moreover, the policy explicitly states that planning permission will be refused in conservation areas making this a doubly inappropriate site for the construction of a tall building.

The draft City Plan 2040 is being prepared for examination by the Planning Inspector on behalf of the Secretary of State. The Draft Plan's Strategic Policy S12: Tall Buildings removes the presumption of refusal for tall buildings in Conservation Areas, though there remains the requirement that *'8. Tall buildings must have regard to: [..] c. the significance of heritage assets and their immediate and wider settings.'* This policy remains in draft and has attracted significant objection from inter alia Historic England. Therefore, the current Plan's policy against tall buildings in conservation areas must be followed, which would require this application to be refused. However, even if one applied the draft policy to which little weight can be attached at present, it seems evident that the proposed building does not have due regard to the significance of the Grade I listed Bevis Marks Synagogue.

5.3 Conclusion

In summary, we find the proposals for the construction of a 43-storey tall building to replace Bury House cause serious harm to the exceptional special interest of the Grade I-listed Bevis Marks Synagogue. The NPPF requires that 'great weight' is given by decision makers to the conservation of the Grade I listed building, and that schemes that would cause harm to such a structure could only be granted consent in the situation in which clear and convincing justification has been provided, and where public benefits outweigh such harm. In the case of the impact on the synagogue, the heritage harm is serious, and would affect both the immediate and long term functioning of the synagogue, and may compromise the future use of the building which is an important part of its significance. The proposals do not show evidence of having given great weight to the conservation of the significance of Bevis Marks, nor do they appear justified, or outweighed by public benefits, and therefore do not apparently accord with the heritage policies set down in the NPPF, nor those in the local plan which in its current iteration does not allow for tall buildings in conservation areas. These concerns are also set out in Historic England's response to the current application, and mirrored in many objections to the scheme.

It is our professional view that the proposals fall short of the national and local policy requirements for designated heritage assets.

Appendix I - Statutory List Description

Synagogue, Bevis Marks EC3

Heritage Category: Listed Building
Grade: I
List Entry Number: 1064745
Date first listed: 04-Jan-1950
Date of most recent amendment: 10-Nov-1977

Details
BEVIS MARKS EC3 1. 5002 (South Side) Synagogue (Formerly listed as Synagogue of Spanish and Portuguese Jews, No 4 Heneage Lane)

TQ 3381 SW 11/363 4.1.50.
I
2. 1701. Plain, rectangular building of red brick with modest dressings of Portland stone. 2 tiers of windows, segmentally arched below and round-arched above, with semi-elliptical heads to larger, central openings in east and west elevations. Simple cornice and parapet. West doorway with segmental pediment on consoles and lamp on decorative iron bracket. Plain interior with gallery supported on Doric columns to 3 sides. Ceiling altered apparently in C19. Fittings remarkably complete and little altered from original arrangement, some being older than present building. They include wainscot, benches, railings, very finely carved echal or reredos, and 7 large brass chandeliers. This was the 2nd synagogue erected in England after the resettlement of 1656 and in its little altered state is of exceptional historic interest.

Listing NGR: TQ3339581257

Holland House, 1-4 and 32, Bury Street EC3

Heritage Category: Listed Building
Grade: II*
List Entry Number: 1064724
Date first listed: 05-Jun-1972
Date of most recent amendment: 29-Sep-1997

Details

TQ 3181 SW 627-0/11/362
BURY STREET Nos.1-4 and 32 (Holland House)
05/06/72
II* 1914, by Berlage. No 32 has narrow frontage with short return to east. Nos 1 to 4 form a long, separate frontage, connected at rear. Six storeys, Nos 1 and 2 set back. Polished black marble to base, doorways etc. Upper faced with faience: pronounced vertical ribs with sunk panels beneath windows and pierced parapet. Entrance to No 32 now blocked: carved corner feature with stylised prow of ship. Main entrance has wall decoration in glazed brick and tile and panels of mosaic to beamed ceiling. Rear of premises rebuilt to greater height.

Listing NGR: TQ3334881228

Donald Insall Associates

Appendix 2 - Bevis Marks Synagogue Setting Study

the S&P SEPHARDI community Bevis Marks

Planning application ref. 24/00021/FULEIA; proposed 43 storey tower at 31 Bury Street

Bevis Marks Synagogue in Judaism and Heritage: A Setting Study With Perspectives from Jewish Sources

20 November 2024

Rabbi Shalom Morris
Rabbi, Bevis Marks Synagogue
PhD Candidate, King's College London, Dept of History

TABLE OF CONTENTS

Chapter 1 - Introduction: Harm and Significance

One of the the most important elements of the significance of Bevis Marks Synagogue is the interplay between the historic building, its setting, and the community who have always worshiped there. However, the setting of the synagogue, its architectural purity, and the ability of its community to continue to use it for worship are at risk due to tall development to its south, notably at 31 Bury St.

As the original custodians of Bevis Marks Synagogue, we hope this paper will sufficiently explain elements of the synagogue's significance that are at risk due to developments that infringe on its remaining southern sky-view. It is our contention that this space must be protected at all costs to ensure the continuing significance, including functioning, of Bevis Marks Synagogue. In this sense, this is an existential matter both for the synagogue's future wellbeing, and for the Jewish community's continuing presence in the City of London, a place they have called home since the Resettlement of Anglo-Jewry began in 1656.

A. Significant Harm to Bevis Marks Synagogue

Grade-1 Listed Bevis Marks Synagogue is the UK's most historically-important synagogue. This is rooted in the synagogue's history, architecture, communal value, and religious traditions.

These elements of its significance, however, are at grave risk due to a planning application to construct of 43-story tower at the site of 31 Bury St, just to the synagogue's south.

The proposed tower will cause harm to the synagogue's:

1. Original architectural intent, which is its physical prominence over its setting. This prominence is important architecturally, historically, and religiously.
2. Religiously important sky views.
3. Interior light levels necessary for prayer.
4. The purposeful functioning of the synagogue's architecturally significant windows.
5. The amenity of the communally important courtyard.
6. The meaning of the synagogue's name.
7. The economic viability of the site.

These harms will be explained to in detail in the pages that follow. As Bevis Marks Synagogue is a site of such national and international significance, it is wholly unacceptable to cause this extent of harm to it. It breaches local and national planing policies, and inflicts particular harm to the country's Jewish community who relate to the synagogue much as the Church of England does to St Pauls' Cathedral.

B. The Synagogue's Unparalleled Significance

Bevis Marks Synagogue is the most historically significant synagogue in the United Kingdom. It was the first purpose-built synagogue constructed in England after Jews were readmitted to the country by Oliver Cromwell in 1656. Even until today, it is the only non-Christian house of worship in the City of London, and it existence represents both the City's and the country's history of religious tolerance.

The construction of Bevis Marks Synagogue began in 1699 in the years following the Great Fire of London. It was built in the style of Sir Christopher Wren and blends both Jewish and English architectural motifs. The synagogue was completed in 1701, before St Paul's Cathedral, making it one of the country's most-important houses of worship. It is a Grade-1 Listed building.

Bevis Marks Synagogue is also one of the most important synagogues in the world. Bevis Marks Synagogue is the world's only synagogue to have maintained regular worship dating back to its opening in 1701. Its congregation is comprised of descendants of families who have worship there throughout its centuries of existence. Bevis Marks Synagogue therefore is world Jewry's last remaining unbroken link to the pre-modern era.

This continuity has also allowed the synagogue's congregation to maintain its unique religious heritage and traditions, one of the last vestiges of Spanish & Portuguese Jewry. Furthermore, it's ritual is a blend of ancient Iberian Jewish traditions and English culture, making its intangible heritage of extreme significance to both Judaism and Britain.

C. This Report

A thorough understanding of a heritage-asset's significance is essential for planning authorities to make decisions that might harm said asset. Each heritage site's significance is unique to its particular history, location, function, etc. There are various contributing factors that include heritage, cultural understanding, function, and viability.

This becomes even more crucial when considering potential harm to a listed building, particularly one which is Grade-1 Listed. In such instances substantial harm should be wholly unacceptable, and where less than substantial harm would be caused, it must be outweighed by public benefits of equal significance. These are high bars to overcome.

Of particular concern is 31 Bury St, where a 43-storey tower is proposed. This site sits just twenty-five meters to the synagogue's south. In Historic England's objection letter to this scheme, they consider the harm that would result to the synagogue on account of its: 'intangible associations with its surroundings', 'patterns of use', and 'intentional intervisibility with other historic and natural features'.

This concern has already been confirmed by the City of London's Planning Committee in their decision in 2022 to refuse permission to a scheme on the same site of similar scale. This position is reinforced by the planning inspectors determination to refuse the Tulip proposal (to the synagogue's west) on account of the harm it would cause to the setting of the synagogue.

It is our understanding that Historic England offered to conduct a study in cooperation with the City of London to explore the contributors to the synagogue's significance, but that this offered was not accepted. The following work therefore documents the significant harm that overshadowing from 31 Bury St would cause to the synagogue's significance. This is rooted in an understanding of the unique history, religious meaning, architecture, and use of the site.

This work considers sources that may be unfamiliar to planing officers due to their unfamiliarity with Jewish texts, and records associated with Bevis Marks Synagogue. It is our hope that officers will see this as an opportunity to become better acquainted with wider range of materials than they've previously encountered, and as such will find themselves better acquainted with the significance of Bevis Marks Synagogue, and therefore why infringement to its remaining sky-view is wholly unacceptable in planning terms.

Chapter 2: Important Sources

In order to understand the significance of Bevis Marks Synagogue, it is essential to be familiar with both Jewish religious traditions and sources, as well as the collections of Bevis Marks Synagogue. On account of barriers associated with cultural understanding, language, and accessibility, many of these materials will be largely inaccessible to to those outside of the Jewish community, and indeed outside of the Bevis Marks Synagogue community. The following paragraphs therefore set out a brief introduction to them.

A. Religious Law

The primary text of Jewish law is the Hebrew Bible, though more specifically the Pentateuch (Five Books of Moses). This is often referred to as the Written Law. This distinguished it from what is otherwise called the Oral Law, which are Jewish religious traditions found in later Jewish works, in particular in the massive work called the Talmud (Babylonia, 6th century). The Talmud includes interpretations of the Biblical word, as well as additional rabbinical traditions, that together comprise the form that Judaism takes in its post-Biblical era.

In medieval times, additional Jewish communities took root outside of the Middle East, in particular in Spain and in France. These became known as Sephardi and Ashkenazi, respectively, and while largely the same, each community evolved in somewhat different ways religiously and culturally. For Sephardi Jews, the primary religiously legal work that outlines and directs their traditions is the *Shulhan Arukh* (R Yosef Karo, 16th century).

Beyond these sources, more localised traditions evolved following the Spanish Inquisition, particularly amongst those Sephardi Jews who remained in the West (the Atlantic), and those who settled in the former Ottoman Empire. The Western Sephardi Jews were known for their acculturation and rational Judaism, and those in the east for their religious mysticism.

The Western Sephardi Jews are otherwise known as the Spanish & Portuguese Jews, and are those who re-established London's Jewish community in 1656. They then opened Bevis Marks Synagogue in 1701, England's first purpose-built synagogue since Jews were expelled in 1290 by King Edward I.

B. Communal Records

The community at Bevis Marks Synagogue kept detailed records of their activities. As the only Jewish community, the 'synagogue' oversaw all of the the needs of its community. Their records therefore include minutes from all of this various activities which includes education, health, charity, and worship. These records are housed in the Metropolitan Archives and can be accessed with permission from the Spanish & Portuguese Jewish community.

The archives at large (kept in several other locations) also include historic photographs, prints and paintings, as well as religious objects produced by skilled craftsman, including Huguenot silver and fabric makers, and other archival materials.

Recordings of the synagogue's musical traditions have also been made and are freely available on its website. This is an incredibly important element in the community's intangible heritage, which is preserved and maintained at Bevis Marks Synagogue.

Of course, the most important element of the collection, is Bevis Marks Synagogue itself, which, together with its setting, remains largely as it was when it was opened in 1701.

Taken together, the collection makes up one of the most intact and important community Judaica collections in the world. The collections are vast. Those who study them are always discovering new materials and insights into the history, functioning and nature of this important community.

However, what makes the collection most remarkable is the living nature of it. That is to say, the interplay between the tangible and intangible heritage in a living historic community, that has remained active in its synagogue, in the City of London, for over three centuries. If any one element of this interplay is lost, then the collection in its entirety decreases in its value and significance.

Chapter 3: Brief Introduction to the Bevis Marks Synagogue and Community:

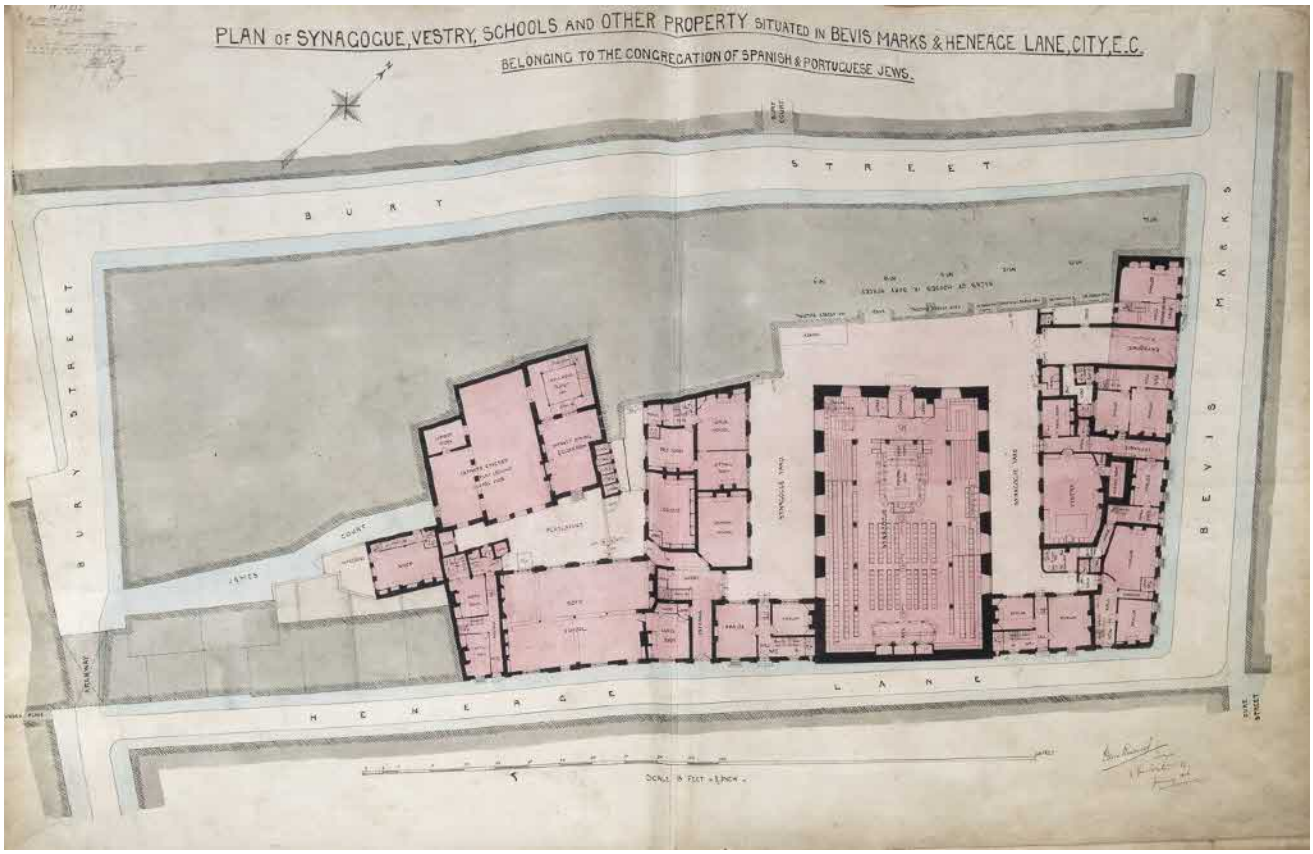
As stated abouve, one of the the most important elements of significance to Bevis Marks Synagogue is the interplay between the historic building, its setting, and the community who has always worshiped there.The setting of the synagogue, its architectural purity, and the ability of its community to continue to use it for worship are therefore key to understanding the synagogue's significance. This sections lays out a brief history of the synagogue itself and its community.

A. The Synagogue Site

Bevis Marks Synagogue was built by Spanish & Portuguese Jews, who first settled in London in the 1650s. The community was fleeing persecution in Spain and Portuguese due to the Inquisitions that had been established there in the preceding centuries. In London they found safety and the freedom to worship openly. They first worshiped in makeshift conditions in a converted synagogue in Creechurch lane, opened in 1657. As the community grew, they sought to construct a purpose-built synagogue on Bevis Marks. To this end they initially leased the land called Plough Yard, and later in the 1700s successfully purchased it outright.

Bevis Marks Synagogue was built from 1699-1701. It is the oldest synagogue in the UK, the only non-Christian house of worship in the City of London, and likely the only synagogue in Europe, or the world, in regular use dating back to its opening in the early eighteenth century. The synagogue was constructed by master builder Joseph Avis, likely according to the design of a Mr. Ransy produced in the years before the synagogue was built.

The synagogue was situated prominently in a courtyard and surrounded by a series of low-rise communal buildings, including schools, housing, offices, ritual baths, and a kosher shop. Through these, the community maintained numerous charitable organisations, including alms houses, medical facilities, and burial facilities on Mile End Road. The community continues to maintain many of these institutions, though their locations have moved across London. Some of the site was redeveloped in the late nineteenth century, though the contours of the site remain largely the same as they were in 1701, with the synagogue dominating its setting.



B. The Community Over Time

Over the centuries many important English Jews have attended Bevis Marks Synagogue, including Prime Minister Benjamin Disraeli, Philanthropist Sir Moses Montefiore, and national boxing champion Daniel Mendoza. Members of the community fought for Britain in the World Wars, including the first Jew to be awarded the Victoria Cross, Frank de Pass. Over sixty members of the community lost their lives fighting for Britain and their names appear on the synagogue's outer wall next to its main doorway. Bevis Marks Synagogue is widely considered the 'Cathedral Synagogue' of British Jewry, akin to St Paul's Cathedral for the Church of England.

The synagogue continues to function as regular place of Jewish worship, in line with its original traditions, and is populated with descendants of those who worshipped there when the synagogue was first opened in 1701. This community is augmented by other Jews living in Central London, City workers, students and visitors to London. The synagogue is also used for weddings, Bar and Bat Mitzvahs, Livery instillation services, national Jewish commemorations, major guest speakers, and other similar events.

Over the past number of years the synagogue has been constructing a new visitor centre with support from the NLHF. Due to this disruption the synagogue has been forced to scale back some of its services that were in place pre-covid. It continues to be open for some weekday services, and for all Sabbaths and Festivals. It is the intent of the community to resume full services with the opening of it centre in May 2025. The visitor centre hopes to welcome over 25k visitors each year, with weekday mornings dedicated to school groups from across the country and local area coming to learn about Judaism.

**Typical Anticipated Week at Bevis Marks Synagogue. Does Not Include Many Additional Festivals.*

*	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
8am	Morning Prayers	Morning Prayers	Morning Prayers	Morning Prayers	Morning Prayers	Morning Prayers	Morning Prayers
9am	Morning Prayers						Morning Prayers
10am	Visitors	School Visits	School Visits	School Visits	School Visits	Visitors	Morning Prayers
11am	Visitors	School Visits	School Visits	School Visits	School Visits	Visitors	Morning Prayers
12pm	Visitors	Visitors	Visitors	Visitors	Visitors	Visitors	Morning Prayers
1pm	Visitors/ Prayer	Visitors/Prayer	Visitors/Prayer	Visitors/Prayer	Visitors/Prayer	Visitors/ Prayer	Morning Prayers
2pm		Visitors	Visitors	Visitors	Visitors	Visitors	
3pm	Special Events	Visitors	Visitors	Visitors	Visitors	Visitors	
4pm	Special Events	Visitors	Visitors	Visitors	Visitors		
5pm	Special Events						
6pm	Special Events/ Prayer	Lectures/Prayer	Social Event/ Prayer			Sabbath Prayers	Sabbath Afternoon Prayers
7pm	Special Events	Lectures	Social Event			Sabbath Prayers	Sabbath Afternoon Prayers
8pm		Lectures	Social Event			Sabbath Prayers	
9pm			Social Event				

Chapter 4: Massing and Scale: The Synagogue's Setting

It is clear from a variety of sources that Bevis Marks Synagogue was constructed to dominate its setting. For those coming to it, the scale of the synagogue would have dominated amongst its surrounding. The following section sets out an understanding of the synagogue in relation to the area around it, and why further massing, particularly set behind it from the viewpoint of the courtyard entry area, would undermine this historic and religious setting.

This perspective was confirmed by the last planning decision in 2022 that ruled that a tall building at 31 Bury St was inappropriate on account of its overbearing nature on the Bevis Marks Synagogue. This goes beyond the notion of the juxtaposition of new and old, but particularly the experience of Bevis Marks Synagogue as viewed from within the synagogue courtyard.

Indeed, the Tulip inspection confirmed this notion by stating that every additional visible tall building further erodes the historic character of the courtyard setting. This is surely the case, when considering a tall building that would constitute the backdrop to the 1701 synagogue, and as such its massing would cause a grievous harm to the synagogue's protected setting which is necessary for understanding its historic, architectural and religious value. As such it would cause significant harm to its significance.

A. Historic Setting: Secluded Courtyard

Bevis Marks Synagogue is set in a courtyard. According to historians from the past century, this was for the purpose of secluding it from view on account of persistent anti-Jewish sentiment that had remained despite the Jewish community having already been established in the City of London for over four decades. According to some, there may have even been a regulation that required the synagogue be hidden from view off the main street.

More recently, some have suggested that placing the synagogue in a courtyard may have been reflective of the synagogue's prominence, as a way of giving it breathing room and removing it from the clatter and mess of the thoroughfare. Indeed, originally the synagogue courtyard was likely closed off with a solid wooden door, though since the nineteenth century this was been an iron gate permitting glimpses of the synagogue inside.

Whilst public buildings surround the courtyard, they are largely out of view as one enters the courtyard, thus maintaining this historic sense of seclusion. This historic experience can only be maintained by keeping the synagogue's backdrop clear of any overbearing intrusion, a context that would be lost should 31 Bury St be granted approval. There is an important difference between a secluded and an oppressive setting.

B. Religious Intent

According to Jewish religious tradition, a synagogue is meant to be the tallest building in an area. This is codified in Shulhan Arukh chapter 150 (OH). The chapter heading is 'The Building of a Synagogue and that it Should be Tall'. Below you can see the regulations requiring that the synagogue maintains this prominent position, even to the point of restricting heights of buildings constructed afterwards.

150:2 - The synagogue must be built at the height of the city, and it should be raised until it is taller than the usable parts of all other buildings,

150: 3 - If someone built/raised his house higher than the synagogue, some say that we force him to lower it.

The objective of these rulings are to ensure that the synagogue, and what it represents remains prominent amongst those coming to worship. Erosion to this sense of scale, erodes both the religious values that the synagogue's physical prominence represents, and its historic setting.

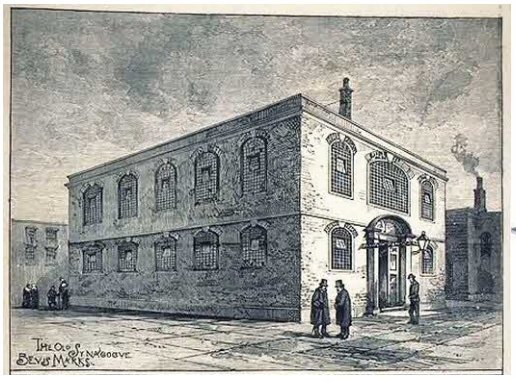
While no renderings have been found of the road Bevis Marks, a drawing from 1890 shows that at least in relation to the buildings next to the synagogue, the synagogue rose in view above them. At the very least, this sense of prominence would have been felt from within the courtyard setting, with no other buildings in view rising around it. It is this sense of scale, that must be preserved to maintain this important religious sense of prominence of Bevis Marks Synagogue mandated by Jewish tradition.

C. Architectural Intent

Beyond this, the synagogue's prominence on the urban landscape, at least from within the courtyard itself, was architecturally part of the original intent of its construction. The plan for Bevis Marks Synagogue was being crafted already in the 1690s. This took place following the Glorious Revolution when William of Orange came to the throne of England in 1688. The led to an increase in migration from the Netherlands and the Sephardi community located there. Amsterdam's Portuguese Jews had themselves completed construction of a new synagogue just a few years before in 1675.

The Amsterdam synagogue largely followed the model constructed by Rabbi Jacob Judah Leon. Leon was more widely known as Templo on account of a plan he drew of Solomon's Temple. It caused a stir and was even exhibited to King Charles II of England.The model placed the ancient Temple in a courtyard surrounded by ancillary buildings, with the Temple sitting prominently in the middle. This model was followed in the Amsterdam synagogue, as the contemporary synagogue in Jewish thought is considered a miniature of of the ancient Temple.

Bevis Marks Synagogue, constructed shortly afterwards, largely followed this paradigm, setting the synagogue in a courtyard, with prominence in relation to the buildings in view all around it. This prominence was not achieved in the manner of church spires, but through the massing of the synagogue itself in contrast to the buildings in view around it. This prominence is only maintained by ensuring its scale continues to dominated its surroundings, by carefully managing visible growth around it.



Bevis Marks Synagogue, 1890

Amsterdam Synagoge

Templo Model With the Temple Situated Atop a Buttressed Temple Mount

Chapter 5: The Sky View in the Synagogue's Setting

The protection of the synagogue's clear sky-view backdrop helps ensure the synagogue retains its historically important prominence as experienced from within the synagogue courtyard. The framing of the synagogue with the sky is what ensures this. However, beyond this, the sky view itself is intrinsic to the understanding of the synagogue and its use.

A. The Synagogue Name

The synagogue is commonly known as Bevis Marks on account of its location on this street. However, the synagogue's actual name is *Sha'ar Hashamayim*. This is Hebrew for 'The Gate of Heaven/Sky'. The origin of this term for a synagogue is in Genesis and the dream of Jacob and the ladder, where he views angels ascending and descending. Upon waking, Jacob exclaimed, 'How awesome is this place! This is none other than the house of God, and this is the gate of heaven' (Gen 28:17). According to Jewish tradition this location was Temple Mount in Jerusalem, hence the connection between House of God and Gate of Heaven.

In Hebrew the word *Shamayim* means both heaven and sky (as in the first verse in Genesis). This is rooted in a religious perspective that relates to heaven as it does to sky, hence the common looking upward to the sky when referring to God or heaven. As such, the sky backdrop is essential to understand the very essence of the synagogue congregation 'The Gate of Heaven/Sky' with its name etched in Hebrew above the synagogue gate and door.

The erosion of this sky view, in such a central location, set immediately behind the synagogue, that would result from 31 Bury St, should therefore be considered a significant harm to the synagogue's significance, and as such should be avoided.

B. *The Synagogue Emblem*

Beginning in the seventeenth century London's Sephardi community annually presented the Lord Mayor with a silver gift. While the exact design of this gift evolved over time, it always included the depiction of a Biblical scene, that of a sentry standing outside the Biblical Tabernacle/Meeting Tent, set in nature. The scene includes clouds and a tree..

The emblem was the official seal of the congregation, and was used on synagogue stamps, and on other communal objects. In these smaller objects the scene was reduced in size, making the original version important for understanding its full meaning.

The Tabernacle traveled with the Israelites as they encamped in the desert for forty years between their exodus from Egypt and eventual arrival in the Holy Land. It continued to serve as the central place of worship until ancient Israel constructed their permeant Temple in Jerusalem. As stated above, the modern-day synagogue is considered a miniature version of these earlier national temples.

That the community chose to illustrate the ancient Tabernacle with a demonstrable sky-setting, and then adopt it as their community's emblem, reinforces the degree to which the sky view is an intrinsic element of the synagogue's significance. Indeed, in the community emblem, the Hebrew name of the congregation 'Gate of Heaven/Sky' is written around it.

C. Religious Worship

The Sky view is also integral to Jewish religious worship. Each month members of the Jewish community go outside during the waxing moon. Upon viewing the moon in the night sky, a prayer is recited (*Kiddush Levana*). It is a prayer for renewal that relates to the moon's renewal during this phase of the moonscape.The prayer is typically said after the evening service, outside of the synagogue, as is both common today and as is depicted in historic drawings of the ritual from the time when the synagogue was constructed.

The synagogue has produced an extensive study of this ritual in the community's history and the negative impact that would be caused by tall buildings to the synagogue's south. These conclusions largely match those of BRE's independent review of GIA's report. However, in brief we will restate several points here.

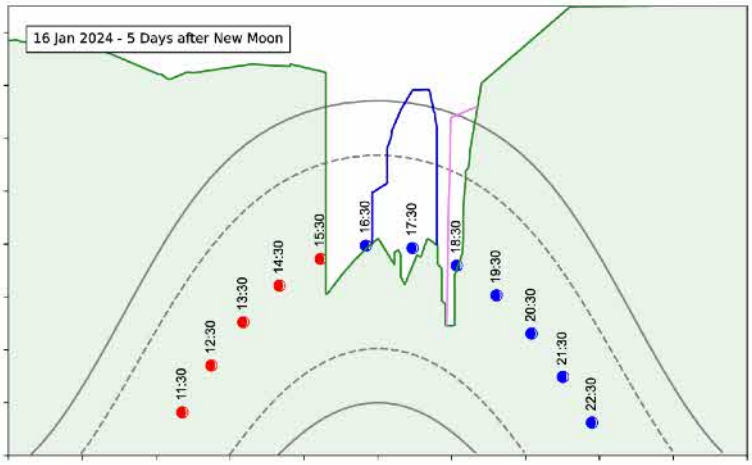
The prayer can only be recited on certain days of the month, and should 31 Bury St be permitted, it would obstruct these views entirely during several months of the year, and significantly reduce them in the remaining months. As such it would cause significant harm to the worship of this ancient Jewish community.

D. Religious Meaning

The use of the synagogue for Jewish worship is intrinsic to its significance. Part of that ritual requires views of the sky, and therefore any obstruction of this view must be considered a significant harm to the synagogue's significance.

Beyond this, views of the sky are important religiously and culturally in Judaism. Traditionally Jews observe the appearance of stars in in the night sky to determine the conclusion of the Sabbath, and the position of the sun in the daytime sky to determine the times for prayer.

Construction of a large tower to the synagogue's south would largely block-out these culturally important views, as the celestial bodies cross the sky along the southern horizon.



1695 Amsterdam Haggadah

Chapter 6: Courtyard Viability: At Risk

The courtyard at Bevis Marks Synagogue plays an important role in both the community's religious and communal activities, and for the synagogue's new heritage centre and cafe. The community at Bevis Marks Synagogue make regular use of the synagogue's courtyard for celebrations and gatherings. Furthermore, the courtyard will function as an important feature on the synagogue's new NLHF supported Heritage Centre, as both a key point for interpretation, and as a setting for its cafe.

The amenity of this space is therefore of utmost importance for the continued vitality and economic viability of this historic community. While it is difficult to quantify amenity, clearly the courtyard is a more enjoyable space with open sky, and without imposing and oppressive buildings overbearing and overshadowing the site. The degradation of the site that would be caused by the proposed tower is therefore both wholly inappropriate, and against planning policy that protects the viability of heritage assets. This negative impact should therefore be avoided.

A. Communal Use and Value

The courtyard at Bevis Marks Synagogue serves several different functions beyond just an access point for the synagogue and as the key location for appreciating the synagogue in its historic settings. The courtyard is also where the community gathers on regular occasion throughout the year.

The courtyard is often used by the worshiping community as a place to hold outdoor receptions following services, whether on a regular Sabbath, or on occasions when the congregation is celebrating a Bar or Bat Mitzvah. The community also utilises the courtyard for the celebration of Succot, Tabernacles, which is celebrated by enjoying food in the outdoor *succah,* hut. Beyond this, the courtyard is also used for Jewish after-work gatherings such as BBQs and other social events.

Additionally, the courtyard is utilised as part of wedding celebrations, which are held regularly at the synagogue throughout the year. In this space people take their first photographs as a married couple, attendees cheer as a couple makes their way out of the synagogue and into the vehicle awaiting them in the courtyard, and some even hold their wedding reception in this space.

B. Economic Impact

A core element in the synagogue's future viability, is its ability to generate income through weddings rentals, heritage visitors and new cafe. This will allow the community to maintain its Listed Building status, which would be at risk without this additional support.

The importance of the courtyard for weddings has already been explained. Beyond this, the courtyard will serve as an important function in the community's new heritage centre. It is here that visitors will purchase their entry tickets and collect their audio guides. In the courtyard the site's interpretation will begin with an introduction to the synagogue and an explanation of its setting.

Finally, another key component of the heritage centre's success is its new cafe. This will include outdoor seating, which is expected to be an important feature in encouraging visitors to purchase food and drink and to extend their visit.

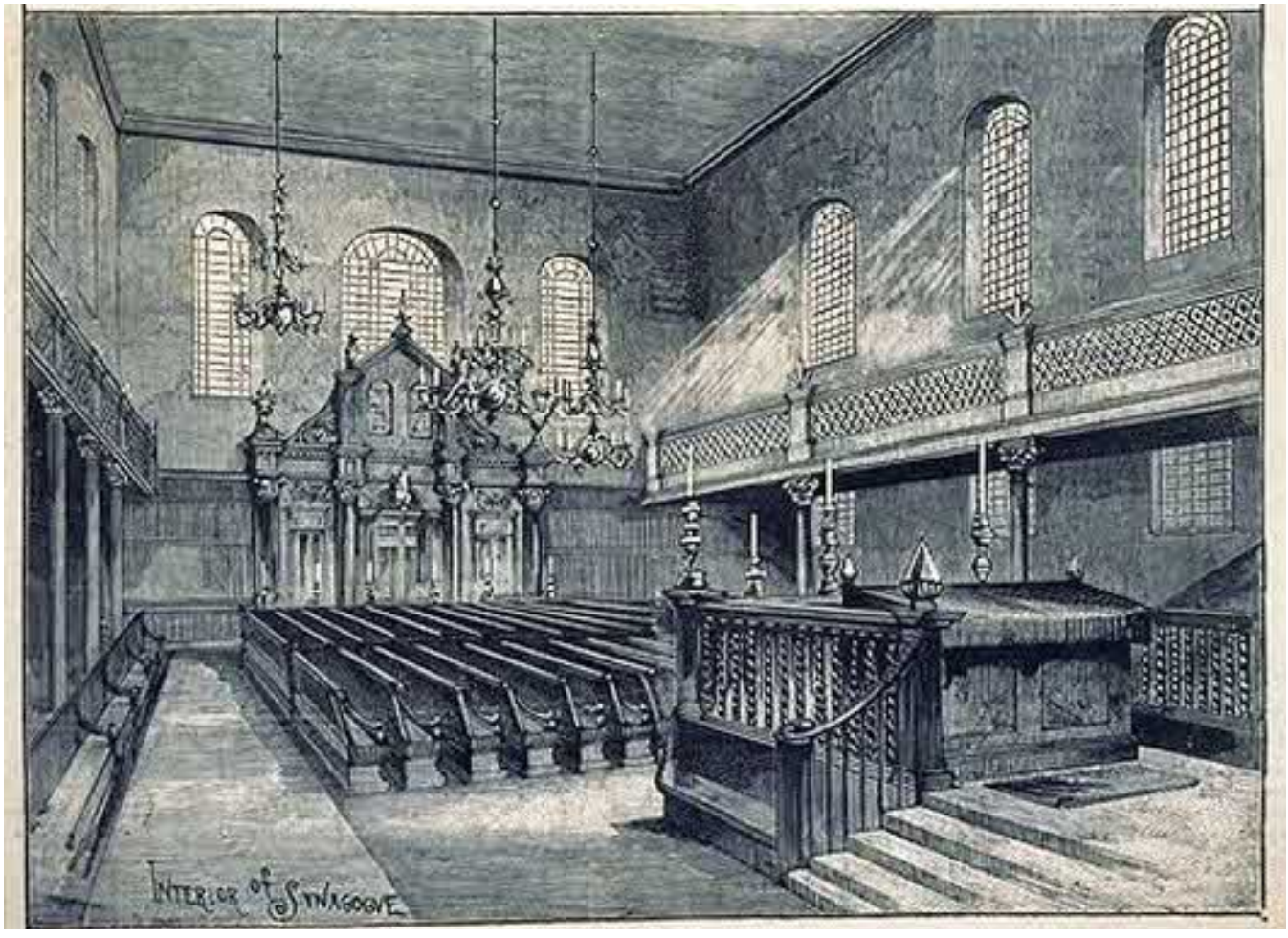
Chapter 7: Light, Windows, and the Synagogue's Architecture

While the majority of this study has focused on the exterior of the synagogue as it pertains to setting, setting within the framework of Bevis Marks Synagogue also pertains to its interior. This is because the synagogue was constructed with its relationship to its setting as central to a user's experience of the interior.

According to the Talmud, 'A person should pray only in a house with windows' (Berakhot 34b). Rabbi Yosef Karo in his work *Bet Yosef* quotes a number of explanations for this law. They include reasons that relate to the practical use of windows for light, as well as the religious significance of views to the outside during prayer through the windows.

For these reasons, further obstructing the synagogue's windows would cause a practical, architectural and religious harm to the synagogue, that relates to its very significance as a heritage and communal site of the greatest value. Most importantly, further reduction in synagogue's daylighting will render parts of the synagogue largely unusable for worship, the core function of the synagogue.

It is clear from historic drawing and paintings of the synagogue's interior that the synagogue was once bathed in light, as it was intended, both religiously and architecturally. Further reducing this feature should be considered a substantial harm to the synagogue's significance as the section below explains.



Bevis Marks Synagogue, 1890

A. Lighting Levels

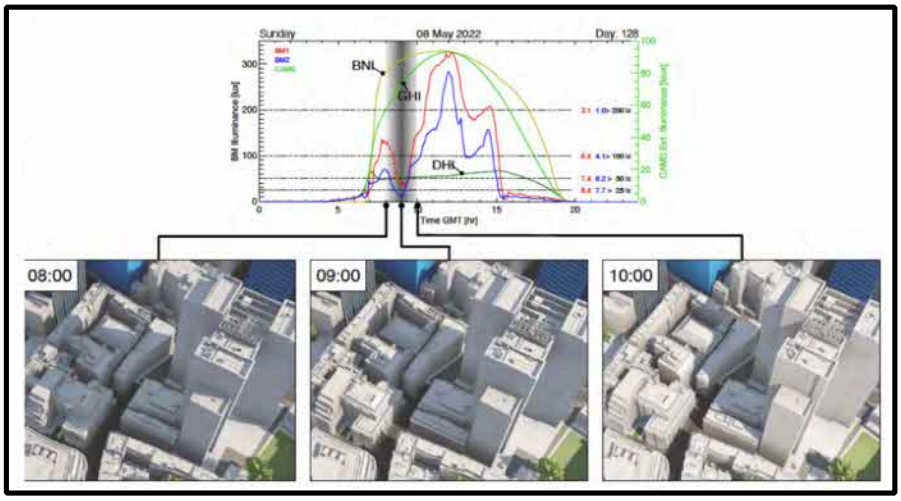
Rabbi Jonah of Gerona (thirteenth-century, Catalonia) explains the reason for requiring windows in a synagogue is that one's (religious and devotional) intention is better when there is light. Indeed, the Shulhan Arukh rules that 'One who builds facing a window of a synagogue, it is not sufficient to leave 4 cubits space, because it (ie. the synagogue) needs a lot of light' (OH 150:4).

Of course, sufficient light is necessary even for the most basic uses of the synagogue, such as the ability to read the prayer book. The synagogue's lighting is reliant on diffused light. Without this, congregants are forced to huddle beneath the limited artificial lighting that was added by the synagogue's columns in the 1920s. This is the case during an after-dark service (aside for special occasions when the synagogue lights its chandeliers, which takes hours to do so, and days to replace). However, during the day, when the congregation's main services are conducted, it is possible to sit anywhere throughout the synagogue and still read the prayers.

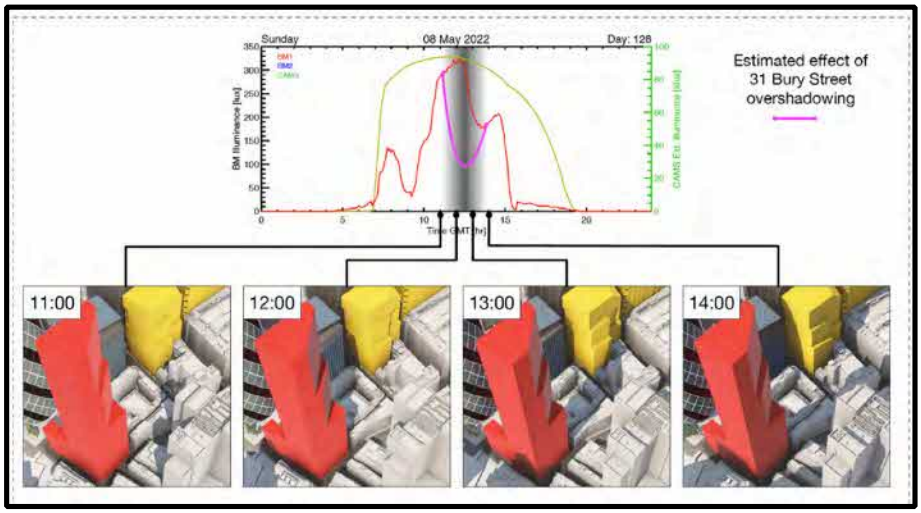
The synagogue has taken interior light-measure readings over the past two years with surprising results. The readers demonstrate that at times interior light levels can reach several hundred lux of light during the morning/midday hours. However, the readers also show a significant drop in light levels in the morning, a phenomenon which is explained by the construction of a tall building (1 Creechurch) twenty-five meters to the synagogue's east less than a decade ago.

It is reasonable to predict a similar impact would be caused by the proposed 31 Bury st as it would be located to the synagogue's south, at a similar distance away, and which will be twice in height as the previously mentioned tower.

Should light levels be further reduced during the daytime, this would render large areas of the synagogue as unusable for worship, the core function of the synagogue. This would constitute a significant harm to the synagogue as it infringes on the synagogue's core significance as a working synagogue, the only one in the world in continual use dating back to 1701.



1 Creechurch Impact



31 Bury St Impact

B. Interior Sky Views and their Religious Value

According to the preeminent Talmudic commentary Rashi (Rabbi Shlomo Yitzhaki, France, 11th century) the purpose in requiring a synagogue to have windows is because it exposes the sky, reminding us of our subordination to Heaven. Direct views of the sky still remain from the synagogue gallery. However, these views would be largely lost should permission be granted to 31 Bury St.

Furthermore, the ability to perceive change in the time of day is also important for the language of Jewish prayer. Indeed, as Jews pray three times a day, in morning, afternoon and evening, the language of Jewish prayers reflect these times of day for meaning. These include optimism at new beginnings (morning), endurance (midday), and protection from danger (night).

The ability to perceive the changing times of day is therefore integral to the Jewish tradition and the original construction of the synagogue as its windows on all four sides enabled this. The construction of taller buildings immediately surrounding the synagogue have historically all been capped at their current heights, with sloped roofs, to help preserve these remaining views. If taller buildings are constructed beyond these, these benefits will be lost.

C. Architectural Heritage

The synagogue's windows are an important architectural feature of the building. Its prominent Wren style windows are common amongst important buildings of this era. Their clear-pane glass was considered an innovation, improving upon the wonky glass of medieval times. It is for this reason that earlier churches often had small windows, and employed stained-glass, as the relatively opaque windows of the time were of little other value.

Strikingly, with the innovations of the era, prominent buildings began to feature large clear windows, that both allowed light to enter, and enabled views through them. This had a noticeable impact on the experience of places of worship, changing them from foreboding places with dark interiors, to light-filled spaces.

However, the increase in massing of the synagogue's surrounding area has led to a degradation of the synagogue's interior lighting and views out. Aside for the religious implications of this change, this eroding condition is rendering the synagogue's windows as increasing pointless, undermining their architecture interest and utility. This is a harm to the very fabric of the synagogue, as the lack of use of the windows in their original manner constitutes a harm to the ability to 'read' the space and its architectural intent and significance.

Chapter 8: Conclusion

The above study has demonstrated the wide-ranging harm that the proposed tower at 31 Bury St would cause to the significance of Grade-1 Listed Bevis Marks Synagogue. On account of its massing to the synagogue's south it would undermine the architectural, cultural, and religious integrity of the site and its continued use as a functioning synagogue.

The proposed tower will cause harm to the synagogue's:

1. Original architectural intent, which is its physical prominence over its setting. This prominence is important architecturally, historically, and religiously.
2. Religiously important sky views.
3. Interior light levels necessary for prayer.
4. The purposeful functioning of the synagogue's architecturally significant windows.
5. The amenity of the communally important courtyard.
6. The meaning of the synagogue's name.
7. The economic viability of the site.

The harms are so far reaching, and relate to the core significance of the synagogue in both architectural, historical and communal terms, that it is difficult to classify these harms as anything but substantial.

For these reasons, it should be clear that a tall building on the site of 31 Bury St is completely inappropriate in planning terms and should be refused just as it was two years ago.