

Local Plan Consultation - Rabbi Shalom Morris

Rabbi Shalom Morris <[REDACTED]>

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To: Planning Policy Consultations <PlanningPolicyConsultations@cityoflondon.gov.uk>

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Local Plan Consultation.pdf;

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THIS IS AN EXTERNAL EMAIL

To whom it may concern,

Please consider my response attached to the Reg-19 Local Plan 2040 City of London consultation. I would welcome further discission with a sincere attempt to find a resolution to my concerns.

Thank you.

Regards,

Rabbi Shalom Morris

City of London Local Plan 2040 Reg-19 Representation

17 June 2024

To whom it may concern,

I write this letter as the rabbi of Bevis Marks Synagogue, and as a resident of the City of London. These are my personal views and should be seen as separate from/in addition to the congregation's formal objection.

After years of dialogue with the City of London, Bevis Marks Synagogue sadly remains without effective protection and under threat from harmful neighbouring redevelopment. However, despite countless conversations and consultations later, this Local Plan not only fails to protect Bevis Marks Synagogue from this harm, it justifies it. This plan is fundamentally unsound and must be refused until necessary changes are made to it.

In my view, this plan appears to be an attempt to strip Planning Committee members of the ability to refuse a planning application [such as the current 31 Bury St] on the grounds they did just two years ago.

Sadly, there is a seemingly deeply-held reluctance in the City to craft a policy that ensures that the synagogue is protected with policies that respect its history and ongoing communal significance, nor with policies that reflect what the synagogue actually requires for its protection. We are tired of the City claiming to know what we require. This letter therefore explains these needs if it isn't clear already. Furthermore, in a spirit of collaboration, as we have always conducted ourselves with the City, this letter also sets out a number of reasonable amendments that would properly protect Bevis Marks Synagogue, and if accepted will help the City to reestablish trust with the Jewish community.

HISTORY

In November 2021, the City of London's Planning and Transport Committee refused an application from Welput for a 48-floor tower at 31 Bury St by a vote 14-7. This followed a shocking recommendation for approval by the City's Planning Department. The refusal published in 2022 identified two harms, one to the setting of Grade-1 listed Bevis Marks Synagogue, and the second to World Heritage Site Tower of London. Shortly thereafter a proposal for a 20+ floor scheme at neighbouring 33 Creechurch Lane was withdrawn, though we understand they intend to resubmit.

In 2023 the City of London put forward (following our recommendation with supporting documents), a proposal for a new Conservation Area (Creechurch), but which inexplicably cut around the site of 31 Bury St, excluding it from the protected area. Following insistence in the Planning Committee that a consultation be held that would consider different boundary options, the City was forced, following an overwhelming consultation

response, to adopt the boundary proposal originally put forward by the synagogue that included the entirety of its block including 31 Bury St. This was formally adopted by the Common Council in January 2024.

Only weeks later, the City of London published their Local Plan 2040 draft, which if adopted would strip Conservation Areas of a protection that exists in their current Local Plan that restricts Tall Buildings in those areas. This would render the new Creechurch Conservation Area meaningless, particularly as it is located in the Eastern Cluster.

Furthermore, the plan proposes establishing a tightly drawn 'Immediate Setting' protection around the synagogue, while explicitly denying (in the 'immediate setting' supporting document) impact on the synagogue's setting from sites located beyond it, including from 31 Bury St. This policy not only fails to understand the historic setting of the synagogue, which would require including 31 Bury st in its 'immediate setting', it also fails to understand the cultural, religious and communal importance of the sky-view backdrop to the synagogue by not including protected views in the policy. As such, the policy actually justifies harm to the synagogue in the veneer of protecting it from it. This policy in its current form is therefore wholly unacceptable and is fundamentally unsound.

By denying the potential impact of tall buildings beyond the 'immediate setting', the City's local plan policy conflicts with the City's own planning committee decision two years ago, that determined that a tall building at 31 Bury st *would* harm the setting of the synagogue. This plan is therefore inconsistent with the City's own planning decisions. It may in fact be an attempt to undermine and overturn the determination of the committee two years ago, by stripping committee members of the ability to make this setting argument again, particularly at a time when developers have submitted a new proposal for a tall building on the site [45 floors].

This issue is the same with respect to the Tower of London, wherein the current draft plan attempts to reject the view taken by the Planning Committee two year ago that a tall building at 31 Bury St would harm the setting of the Tower of London. The draft plan does so by way of its height map showing the potential for a tall building on the aforementioned site, despite the view taken to the contrary by the Committee two years ago, and against the advice given by Historic England then and now.

In total, the City's planning department's behaviour over these past few years has caused undue harm to the City's Jewish community, by forcing it to repeatedly galvanise its community and resources to ensure the synagogue is protected. They've demonstrated a determined reluctance to protect the synagogue in ways that are necessary for its preservation. Far from creating an environment in which the Jewish community feels included, we are left feeling as if the City wishes we didn't exist. They have failed the Jewish Community in their duties as custodians of the City's heritage and in their responsibility to uphold the Equalities Act.

RECOMMENDATIONS

Below, I will explain in greater detail the rationale for these adjustments, but in short in order to make this Local Plan sound I put forward the following view.

1. HE1 does not adequately protect heritage assets. It is not enough that development should “consider” enhancing conservation areas; enhancement should be actively sought and pursued.
2. HE1 also does not adequately protect Bevis Marks Synagogue. As drafted, HE1(8) refers to the Synagogue’s defined “immediate setting”; however no such concept of immediate setting exists. As with other heritage assets, the whole setting of the Synagogue should be protected. This is particularly important because the Synagogue is included in the Tall Buildings Area, and the permissible height contours in Figures 14 and 15 clearly impinge upon the Synagogue and its setting.
3. S12 and S13 tall buildings policies are also inadequate. They should not simply “take into consideration local heritage assets” as 12(5) states, but must pay full regard to and preserve and enhance the significance of those assets. S13 should protect views of and from the Synagogue in a similar way to the way The Monument is treated, albeit special regard should also be paid to the culturally and religiously important setting of the Synagogue.
4. The current Local Plan Policy CS14 presumption against tall buildings in Conservation Areas must be retained in the new draft. As well, a sentence should be added to clarify that the Tall Buildings Area does not override heritage and townscape considerations.

SYNAGOGUE SETTING - SKY-VIEW

The proposed plan invents ‘immediate setting’, a definition of setting which effectively limits the synagogue’s protections. As such, it does not enshrine the synagogue’s protections as the policy contents to do. While I welcome a policy that defines setting protections for the synagogue, its must be accurate, or it will end up permitting harm, and not preventing it as it should. This policy fails by neglecting to understand the significance of the clear-view sky backdrop to the synagogue and how its preservation protects the setting, religious worship and interior light levels of the synagogue.

Protecting the sky backdrop to the synagogue would prevent future developments from dominating the synagogue’s historic setting. This is important because the synagogue was consciously built within a private courtyard, creating a sense of exclusion from the surrounding built environment. This was done for reasons or religious sensitivity as Jews were still new to this country when the synagogue was built in 1699-1701. While there are tall building in view from within the courtyard, a tall building placed immediately behind

the synagogue's backdrop would noticeably conflict with the sense of privacy that is still felt within the courtyard upon entering it and walking towards the synagogue.

Indeed, while there are other buildings visible from within the synagogue courtyard in other directions, HE planning policy guidelines clearly state that previous harm is not a justification for further harm. As such, the erosion of the synagogue's setting must not be allowed to be furthered, particularly to its south and the role that direction plays to the synagogue's backdrop.

Furthermore, as the synagog's direct southern backdrop is the last remaining unobstructed sky view towards the south, its protection will ensure that the space continues to feel 'open' and is not allowed to become an oppressive environment in which one is cut-off from the sky, as the feeling of openness necessary for a space to feel tranquil. Only by protecting this sky-view can the setting of the synagogue, and the amenity of its courtyard be ensured.

The courtyard itself is a vital part of the synagogue space, not simply a passageway to the synagogue. In the courtyard the community gathers for receptions, to celebrate religious festivals, and to conduct its worship [for example the monthly *kiddush levana*]. This is also the space where visitors will begin their heritage trail, and enjoy outdoor cafe seating, when visiting our soon-to-open NLHF supported Heritage Centre in late 2024. Failing to protect the clear sky-view backdrop risks eroding the utility of this space should buildings begin to enter this space.

The synagogue's clear sky-view backdrop is made all the more important, because it appears along its southern exposure. The rectangular-shaped synagogue runs slightly off an east-west axis, and as such, the majority of its windows face the south and north. As a result, keeping this space's sky-view open ensures that light continues to fall along these windows, either directly, or as they reflect off the building to its northwest. Historic pelmet's remain along the southern and eastern windows, reflecting a time when light poured through these windows. Built before the advent of electricity, the retention of natural light is therefore necessary for the preservation of the historic quality and character of the Grade-1 listed synagogue. Protecting this southern sky-view is therefore intrinsic to protecting the synagogue and its setting.

In fact, as natural light levels are now greatly reduced from when the synagogue was first built, due to previous planning approvals, it is all the more necessary to preserve what remains, lest the interior light levels drop any further, rendering the synagogue unusable for regular worship which requires sufficient light to read the prayer book.

Finally, the southern exposure is also necessity for the conduct of Jewish rituals which requires views of the moon in the night sky, which appears along the southern horizon. Without ensuring that the remaining views of this horizon remain clear, it won't be possible for the synagogue-community to continue to worship as it has previously, and as such permitting a tall building in this location would constitute a breach of our religious rights, not to mention make the synagogue site no longer suitable for sustaining a full

Jewish life. The synagogue backdrop is all that remains of this sky-view of the southern horizon, making its preservation essential.

Bevis Marks Synagogue is the oldest synagogue in the UK, and the first built following the resettlement of Anglo-Jewry in 1656. It is also the only synagogue in the world to have maintained regular worship back to 1701 due to the Holocaust, migration and Jewish expulsions. Preserving the synagogue's ability to continue to sustain active Jewish worship is therefore of the utmost importance and a policy which neglects to do so is fundamentally unsound.

Remarkably, the Plan's supporting document quotes from the synagogue's own Conservation Report when it suits it, but fails to do so when it explains the value of the clear sky-view backdrop. This gives the impression of a planning policy that seems to have been written with the conclusion in mind, and not one that honestly attempts to understand the synagogue, its history, significance and its needs. The plan can't cherry pick which elements of the synagogue's setting it wants to address, but must protect the synagogue's setting in its entirety.

SYNAGOGUE SETTING - BOUNDARY

The policy document also strangely draws the synagogue's 'immediate setting' boundary in a manner that does not include the entirety of its block, thereby excluding the contentious site of 31 Bury St. Its exclusion from even this narrowly-defined 'immediate setting' policy does not stand up to scrutiny. For reasons of history and archeology it must be included.

In order to exclude 31 Bury st, the City is proposing to divide between party walls, while a more elegant solution would be to include the entire of the block, which just means adding the few buildings along Bury St. In this way the boundary to the 'immediate setting' will be streets, and not party walls.

While currently Valiant House stands between the synagogue and 31 Bury St, Valiant House is part of the synagogue's historic and current freehold. As such, only by including the buildings that also boundary Valiant House will the synagogue's historic and current immediate site be protected. Should Valiant House ever be demolished, 31 Bury st would immediately become visible at ground level, making its inclusion in this boundary justified even according to the City's narrow definition of 'immediate setting',

The need to include the entirety of the small block in the 'Immediate Setting' is made all the more clear by the decision of the developers of 31 Bury St to purchase the leasehold to Valiant House with the hope of incorporating the site into their development. As such, the entirety of their potential development would constitute the southern part the synagogue's 'Immediate Setting' and necessitate controls even according to the City's own reasoning. This is yet further evidence of the need to include all of the block within the policy if Bevis Marks Synagogue is in fact to be protected by the policy.

Finally, the City's policy supporting document identifies the historic street behind the synagogue, Heneage Lane, as part of its 'immediate setting' and states that its preservation with similarly scaled buildings creates a unified and sympathetic frame for the synagogue. However, 31 Bury St forms the southern end of this small lane, and as such must be included within the protected area if the lane as part of the synagogue's setting is to be protected at all.

Indeed, along this Heneage Lane, 31 Bury St has direct views over the synagogue and its all important eastern exposure. This makes its inclusion in the 'immediate setting' logical even according to the City's reasoning, that sites that surround the synagogue on the ground level have the potential to erode the synagogue's setting with development that increases in height over it.

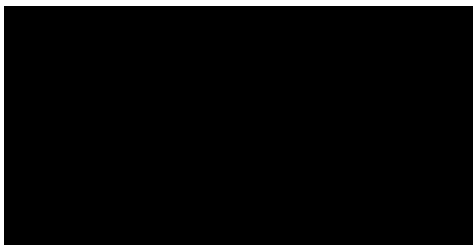
CONCLUSION

In summary, the City's Local Plan 2040, as it currently stands, fails to protect the synagogue, and by defining its setting in the manner that it does, it actually justifies harm that it should be preventing. It is currently in conflict with planning decisions and policies.

These conflicts can be rectified by both including the entirety of the block in the 'immediate setting' policy and by preserving the synagogue's clear sky-view backdrop from any further incursions. It should also prohibit tall buildings in Conservation Areas. In doing so, the policy would then meet its stated aims of protecting the synagogue's settings, and not justifying harm to it as it currently does. If these changes are made the policy won't only be protecting the synagogue's invented 'immediate setting', but the synagogue's 'setting' in its entirety as it should.

I reserve the right to add or amend my proposed changes, and I should welcome being invited to participate in discussion at the Plan's examination. I also welcome further consultation with the City of London should there be a sincere desire within the City to address these concerns at the conclusion of the Regulation-19 consultation.

Yours,



Rabbi Shalom Morris
Bevis Marks Synagogue