

Appendix 7 (Revised Proposed Submission Draft City Plan 2040 - Representations received from Bevis Marks Synagogue)

Representation received on 17 January 2024

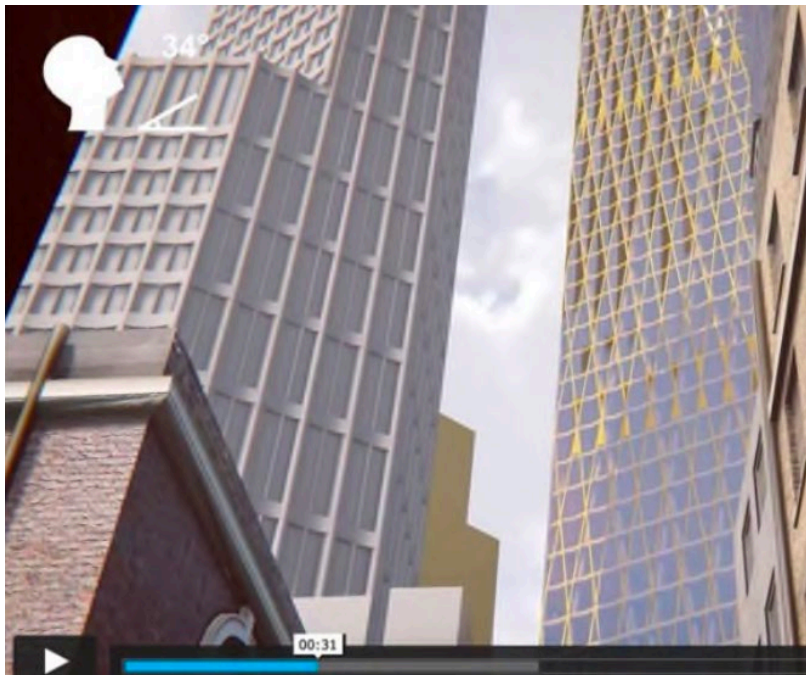
THIS IS AN EXTERNAL EMAIL

Further to our constructive discussion on Monday, I set out below an amendment to the draft Policy H1 text you might like to consider:

*8. Development in the defined immediate setting of Bevis Marks Synagogue and The Monument **and development that affects their wider setting (including views out and in)** should preserve and where possible enhance the elements that contribute to the significance of their setting.*

In drafting this, I have been conscious that I imagine you will not want to make extensive changes to the text.

I attach a time lapse video that Respondent shot on Monday evening. It shows more eloquently than words can readily express how the passage of the moon - with all its religious/cultural symbolism - is still readily visible from the Synagogue courtyard, but would be blocked by the construction of a tower on the 31 Bury Street site (see image below).





hgh Consulting is an Employee Owned Trust



DEFINING THE VIEWS FROM AND SETTING OF BEVIS MARKS SYNAGOGUE FOR PROTECTION

- 1.1 The City Corporation's current proposal is to define an "immediate setting" as shown below:



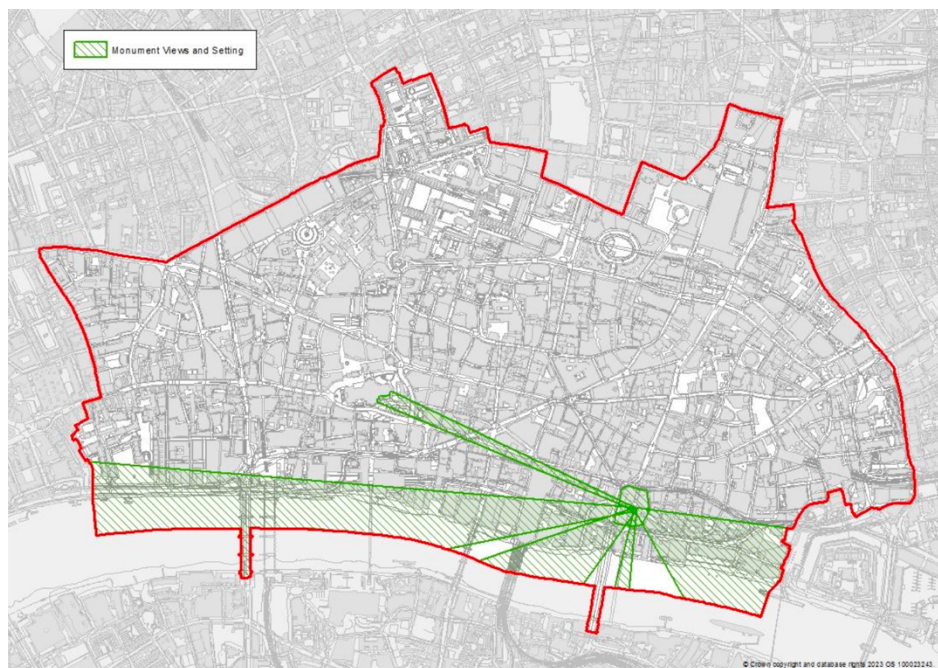
- 1.2 This is an unacceptably minimal approach to the matter, based on an inadequate heritage assessment and a failure to appreciate important Jewish historical, cultural and religious considerations.
- 1.3 The concept of defining a highly sensitive zone in the immediate vicinity of the Synagogue is sound. However, it needs properly to reflect the situation on the ground. A case can readily be made for widening the area substantially, and this should certainly be considered by City officers. However, at the very least, the area should embrace the whole city block of which the Synagogue is such an important part. This would serve to highlight the sensitivity of the 31 Bury Street site, which the Corporation has already acknowledged in its refusal of planning application ref. 20/00848/FULEIA, primarily because the development of a tall building there *"would adversely affect the setting of the Grade 1 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"*. It would also serve to acknowledge the sensitivity of the view of the Synagogue along Heneage Lane, where the buildings on both sides are of consistently modest height.
- 1.4 Additionally, and very importantly, the sky view should be protected. There are in fact a series of important sky views, all in relatively close proximity: (a) the view from the Synagogue arched gateway, where the viewer suddenly emerges from the darkness of the archway to see the Synagogue set against the open sky; (b) the view from within the courtyard (which is an important place of congregation for festivals and events); and (c) from close to the door of the Synagogue, where the viewer emerges from the relative darkness of the inside of the Synagogue into the open air.

1.5 We have not yet attempted to define the sky view with any precision. However, the map at right shows in general terms how it might be shown on the Local Plan Proposals Map. The map also shows the enlarged immediate setting, as described above. We would be pleased to refine this in discussion with City officers.

1.6 We note that the approach outlined here is very similar to the approach already taken in respect of The Monument. There, the buildings closest to the structure are highlighted because of their particular sensitivity. However, the immediate setting is defined by whole blocks; there is no attempt to draw lines through blocks.



1.7 Additionally, however, various views of and from the monument are identified for protection. The draft map from the emerging Local Plan is shown below, though the Monument does of course already have this sort of protection in the existing City Plan. There is no obvious reason why the same approach should not be adopted in relation to Bevis Marks Synagogue, which is a building of at least comparable historic and cultural importance.



Representation received on 8 January 2024

Bevis Marks

Monitoring of lighting levels

Over the past two years, beginning In February 2022, a programme of light level monitoring has been undertaken. Light levels have been recorded in two locations in the central area of the Synagogue at five minute intervals. The aim has been to record at least a full year of daylight levels at representative places and in the same plane as books would be held during services.

The legibility of the Synagogue's interior and that of 'visual tasks' such as reading is directly related to amount of light present. The CIBSE (Chartered Institute of Building Services Engineers) issues recommendations for adequate light levels relating to the nature of the task and type of interior. For example, 300-500lux is recommended for office environments, and 300lux for churches and village halls. The "worst case" is where highly light sensitive exhibits in museums are displayed, where the minimum light level is 50lux. This represents the working minimum for colour and detail discrimination.

The monitoring undertaken to date shows how low are the daylight levels already. The table below gives the average hours per day that four threshold daylight levels (25, 50, 100 and 200 lux) are exceeded:

		Jun	Sep	Nov
Hours above:	25 lux	9.9 5	7.55	2.3
Hours above:	50 lux	7.6	3.95	0.3 5
Hours above:	100 lux	4.5	1.2	0
Hours above:	200 lux	1.4 5	0.5	0
Daylight hours (av)		16. 5	12.75	9

These data show that even in the summer, daylight levels are low. The 300 lux data is not immediately to hand. However, even at 200 lux, the average daily amount is only 1.45 hours. In November, that level - or even the lower level of 100 lux - is not achieved at all.

Much of the daylight that does penetrate the windows is reflected off surrounding buildings. This serves as a reminder that the Synagogue is already substantially hemmed in by other buildings. Any alterations to those buildings could reduce the amount of reflected daylight, even if their height was not increased. Any further increase in height of any

building (whether an immediate neighbour or a building further removed) would both increase the Synagogue's dependence upon reflected light and potentially reduce the amount of reflected light already received.



**Response to the City of London Corporation report:
"Policy Paper: Bevis Marks Synagogue – Immediate Setting"**

Historical and Cultural Assessment

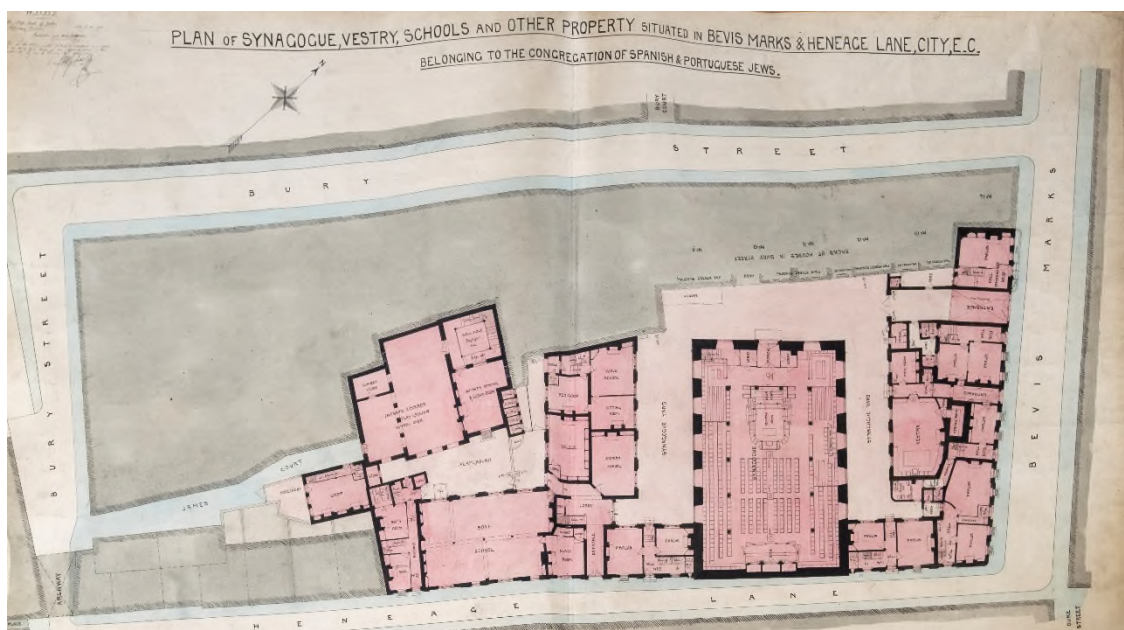
1. I am Professor of Modern European History at the University of Oxford, with a particular interest in British Jewish history and heritage, and extensive experience working with national and international heritage organisations like Historic England, the National Trust, and the European Association for the Preservation and Promotion of Jewish Culture and Heritage. It is in this capacity that I have been asked to produce a response to the "Policy Paper: Bevis Marks Synagogue – Immediate Setting" produced in December 2023 (hereafter **PPBM**).
2. Recognising the importance of Bevis Marks Synagogue, and the unique qualities of its "Immediate Setting", the **PPBM** proposes that this *"Immediate Setting should be subject to specific guidance in order to preserve the significance of the Synagogue"* (Executive Summary, p.3) and *"That Bevis Marks Synagogue and its Immediate Setting be referenced in policy, in the same way as the Monument and its setting"* (Policy Proposal 5.1, p.24). This recommendation is broadly welcome.
3. The **PPBM** also differentiates between the Immediate Setting of Bevis Marks Synagogue and *"the 'wider setting' beyond: the modern development and tall buildings visible in views of the listed building which make no contribution to its significance."* (Executive Summary, p.3) As this paper will demonstrate, that recommendation is based on a fundamental misunderstanding of the heritage value of Bevis Marks Synagogue, which is not purely architectural.
4. Crucially, the **PPBM** takes no account of the sky view from within Bevis Marks courtyard. In this context, it is worth noting that the illustrative material provided to support the policy proposals gives a misleading impression of the "immediate setting" because the PPBM only includes photographs of buildings, and no sky is visible in any of these photographs at all. This failure to consider light, the sky and protected views is particularly surprising given the vocally expressed concerns of the London Sephardi Trust and the Spanish and Portuguese Congregation, as outlined on pp.5-6.
5. The approach outlined in the **PPBM** conflicts with heritage best practice, as outlined by Historic England Conservation Principles, Policies and Guidance (2015), which recommends that *"Significant places should be managed to sustain their values"* (Principle 3) and defines heritage value as follows: (1) *Evidential value*: the potential of a place to yield evidence about human activity. (2) *Historical value*: the ways in which past people, events and aspects of life can be connected through a place to the present (3) *Aesthetic value*: the way in which people draw sensory and intellectual stimulation from a place (4) *Communal value*: the meanings of a place for the people who relate to it or for whom it figures in their collective experience or memory.
6. All four of these values are relevant to Bevis Marks, but when it comes to a living place of worship *Communal Value* necessarily carries particular weight. All over Europe there are

beautiful synagogues which are empty shells, because the Jews were either killed or left. They have historic value, **not** communal value. The unique significance of Bevis Marks lies in the fact that it is the oldest continually functioning synagogue in Europe, remains a living community, and preserves a unique liturgy.

7. Unfortunately, the **PPBM** completely ignores the communal value of the synagogue, identifying the significance of Bevis Marks Synagogue simply as “Architectural/artistic”, “Historic” and “Archaeological” (3.1 pp.4-8). This approach represents a fundamental failure to understand the significance of Bevis Marks for British Jews, for the Sephardic diaspora and as a place of worship for London’s Sephardic community.
8. To recap: Bevis Marks Synagogue is the oldest continually functioning synagogue in Europe. It lies at the heart of the Sephardic diaspora, and has a history that is at once proudly British and properly global. The synagogue may not be formally designated as a World Heritage Site, but it is a heritage site of world historical importance. For this reason, the campaign to “save Bevis Marks” generated newspaper coverage in New York and Israel, and objections from Jewish groups in continental Europe and the United States.
9. Bevis Marks is also a site of unique historic importance for the British Jewish community. In the heart of the City, close to the Bank of England and the Mansion House, it speaks to their history since the readmission under Cromwell, and to their unique status as the only significant Jewish community in Europe with a continuous history of this kind. To quote the submission made to the City in 2019¹ by the London Jewish Museum, *“Bevis Marks Synagogue is ... much more than a Grade 1 listed building. It is the ‘Cathedral’ Synagogue to Anglo Jewry and should be protected in its cultural, historical and religious significance in the same vein that St. Paul’s Cathedral or Westminster abbey could expect from its local and national government ... That synagogue deserves the protection that ought to be afforded to it in ensuring that the building and its community are able to exist as intended...”*.
10. The symbolic importance of Bevis Marks and the emotional attachment of British Jews to this synagogue must now be apparent to all concerned. The Public Sector Equality Duty to “*foster good relations between persons who share a relevant protected characteristic and persons who do not*” (Equality Act 2010) is a cornerstone of our diverse and multicultural society. The City therefore has a duty to show particular sensitivity for the religious and cultural concerns of this community when formulating policies to protect Bevis Marks.
11. Religious experience is fundamental to the use and historical significance of this building. Sustaining the spiritual dimensions of the building and the community that animates it is therefore central to preserving the heritage value of this asset, which cannot be distinguished from its religious and communal functions. This issue is completely overlooked in the **PPBM**, which focuses only on the “*siting, townscape, scale and (for the most part) materiality that formed the setting of the building originally, even if the buildings on many of the plots are now modern.*” (3.2 p.11)

¹ This was made in connection with the proposal to construct a 49-storey tower on the site of 31 Bury Street (ref. 20/00848/FULEIA)

12. The “Immediate Setting” as currently designated by the **PPBM** is intended to support its historical and architectural significance, by preserving its *“original courtyard location and design; reinforcing the discretion of its siting and seclusion from the street (architectural), reflecting in turn the wider historical narrative of Anglo-Jewry (historical); and maintaining a sense of traditional scale and proportions that illustrate how the Synagogue would have related to its historic townscape (architectural)”* (3.2.p.11) Particular importance is attached to scale, historic plot size, group value, materials and detailing, but no importance is attached to the value of the courtyard to the community as a social and religious space (for example, during Sukkot).
13. Critical here is the failure of the **PPBM** to appreciate that the sky views from within the courtyard form part of the “immediate setting”. Remarkably, despite changes to the surrounding buildings over the past centuries the view of sky around the synagogue has survived relatively unscathed. Preserving this sky view is important for preserving and understanding the historical and architectural significance of the building, and for sustaining its religious and communal value.
14. Surprisingly, the **PPBM** also fails to protect the synagogue’s historic setting in its entirety. Yet Bevis Marks was not just a synagogue but a communal hub - surrounded by community assets that included several schools for children and advanced Jewish study, an orphanage, ritual bath, kosher shop, homes and community offices, as seen in the 1876 map below. These buildings were kept at a one- or two-story height, until redeveloped at the end of the 19th century, and the whole block should be understood as comprising a historic unity. Even today, the synagogue’s freehold includes the site of Valiant House, and it is necessary to cross land owned by the synagogue to access the service entrance to Bury House. It is difficult to understand why the **PPBM** has chosen to exclude the rest of the Bevis Marks city block – and, specifically, the sites of Holland House and Bury House - from the proposed “immediate setting”.



15. The **PPBM** notes that according to *Buildings of England*, “the building’s discreet, off-street location in an enclosed, private courtyard stemmed from a contemporaneous law forbidding the Jewish community from building on a high street” (p8). This discreet courtyard setting is not unusual for a Sephardic synagogue. Like Bevis Marks, the Lisbon synagogue is located in an urban landscape, concealed in a street block behind a fence and wall with the main façade facing an inner courtyard, because this synagogue too was built at a time when Portuguese



Bevis Marks Synagogue, 1891 - Showing clear sky-views all around

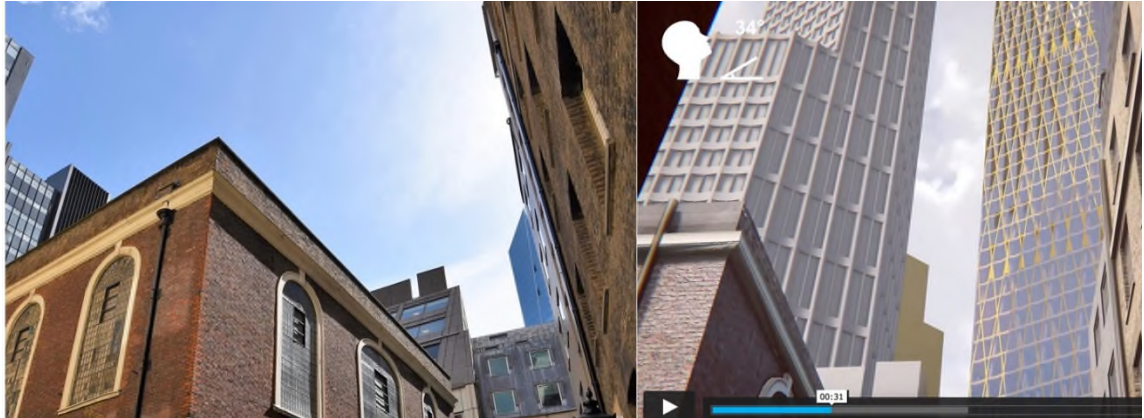
law forbade non-Catholic places of worship from facing the street. Here, however, the sky view has been preserved completely intact. Visiting helps us to understand how Bevis Marks once was - and that both the sky view and a sense of privacy and seclusion were integral to the architect’s original conception. As far as possible, it is this effect we need to retain.

16. This can best be achieved through designating the “immediate setting” of Bevis Marks in such a way as to protect both the sky view and the sense that the synagogue has been set apart from the surrounding area. The City recognised that these issues were interlinked in June 2022, when it rejected planning permission for development of 31 Bury Street on the grounds that the proposal “would adversely affect the setting of the Grade 1 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.”² The closer a building is to the synagogue, the more dominating such a building will feel to congregants.

17. In this context, it is worth noting that the construction of 100 Leadenhall, which already has planning permission, will have a significant impact on both the sky view and the sense of

² APPLICATION NUMBER: 20/00848/FULEIA. 22 June 2022.

peaceful seclusion in the synagogue courtyard. We can get a sense of this when we contrast the current situation (below left, current view), with the projected outlook had the building at 31 Bury Street received planning approval (below right, including both 31 Bury Street and 100 Leadenhall). The stark contrast between these images underlines how important the sky view is to the immediate setting of the synagogue, and how fragile that setting currently is.



18. The spiritual significance of the sky view at Bevis Marks has been inscribed into the material fabric of the building. In Hebrew, the synagogue is known as *Sha'ar Hashamayim* (Gate of Heaven). These words – *Sha'ar Hashamayim* - are carved in stone above the entrance gate, and painted above the synagogue's doors. They originate in the Biblical episode of Jacob's dream of a ladder with angles ascending and descending. Upon waking Jacob exclaimed: 'How awesome is this place, it is none other than the House of G-d and the Gate of Heaven'. For this reason 'Gate of Heaven' is considered a euphemism for a 'House of G-d': Aldgate and Bishopgate may have been the gates into the City of London, but the synagogue was the 'Gate of Heaven' for the Jews. The experience of 'heaven' is currently felt upon entering the quiet courtyard of Bevis Marks Synagogue, and seeing the sky all around it. This is how it should remain.



19. The sky view in the courtyard at Bevis Marks serves important ritual purposes. Many Jewish rituals are determined by views of the sky. The Jewish Sabbath concludes at the appearance of three stars. These first appear in the darkening eastern sky and would not be viewable if the sky around the synagogue was obstructed. Similarly, the beginning of each new Jewish (lunar) month is marked by the appearance of the new moon: this is the occasion for a special prayer (*kiddush lebana*), which can be recited only upon seeing the moon in the night sky. (Talmud, Tractate Sanhedrin 42a). Should buildings block out views of the eastern and

southern sky, this ritual would be lost to the synagogue community.

20. Importantly, the sky view in the courtyard is critical to ensuring that enough daylight reaches the interior of the synagogue to enable the community to pray there even on dark winter days, and to retain the existing spiritual qualities of the building. As shown here, the synagogue was originally designed to admit plentiful light, facilitating the reading of printed texts by all present, which is intrinsic to Jewish worship.



Bevis Marks Synagogue, 1891 - Showing light entering the building from its southeast

21. Originally, the courtyard on three sides ensured that the synagogue windows were completely unobstructed, maximising the daylight admitted. Since then, the construction of higher buildings in the surrounding area which encroach upon the synagogue's sky view has reduced the amount of direct sunlight and reflected light entering the synagogue through these windows, significantly darkening the interior. Nevertheless, when looking out from the synagogue gallery windows one can still see the sky on both sides. Any further encroachment on the synagogue sky view is likely to make that impossible, blocking direct light and reducing the amount of reflected light that reaches the interior to a dangerously low level that threatens the synagogue's ability to function.
22. In a Jewish house of prayer, light has great spiritual significance and must be protected. The Talmud (Tractate Berakhot 31a) rules: Rabbi Hiyya bar Abba said: One should always pray in a house with windows, as it is stated regarding Daniel 6:11: *"And when Daniel knew that the writing was signed, he went to his house. In his attic there were open windows facing Jerusalem and three times a day he knelt upon his knees and prayed and gave thanks before his G-d"*. Likewise, the pre-eminent Jewish legal authority Rabbi Yosef Karo (Bet Yosef, OH:90) asserted that windows enable one to see the sky, look heavenward during prayer and experience humility.

23. This requirement to pray in a house with windows reflects the fact that the observance of Jewish rituals is shaped by the positions of the sun and moon in the sky across the day, month and year. For example, Jewish prayer times are determined by the daily course of the sun: its journey from east to west over the southern horizon determines the times of our prayers, and is the inspiration for much of our liturgy. For this reason, the morning service (*Shahrit*) begins with the blessing, *'Blessed are you G-d who is sovereign over the universe, who fashions light and creates darkness...who brings light over all of the land and refreshes creation each day...Blessed are you G-d who creates the luminaries.'* Later in the morning, when light currently shines into our courtyard and penetrates into the synagogue, it casts its glow across the pews, creating warmth on the faces of congregants, and lifting their thoughts skyward. On Yom Kippur, the darkening light and the glow of candles in the evening is a sign that the Gates of Mercy are about to close. In this way, the changing presence of light in the synagogue is intimately connected to the spiritual experience of worshippers. Any change to the current sky view would have profound implications for the religious value of the synagogue as a spiritual space and house of Jewish prayer.
24. Circumcision is a foundational ritual in Judaism since only after he is circumcised is a Jewish boy considered to have joined the Jewish community: it is a medical procedure carried out on a baby's eighth day by a trained professional called a mohel. Ample light is essential to perform this ritual safely, but recent testimony from mohels who have conducted circumcisions in Bevis Marks confirms that any further reduction to light levels would render this impossible. Bevis Marks Synagogue contains two historic circumcision chairs from the seventeenth and eighteenth centuries, testifying to the long history of circumcision here. Ending the practice of circumcision at Bevis Marks would mark a significant rupture in three hundred years of tradition, harming the synagogue's significance as a place of worship and communal life. It is an excellent example of the kind of intangible heritage that needs to be preserved.
25. Finally, I note that in the past the City has understood the importance of protecting the light in the courtyard of Bevis Marks and the synagogue itself. Indeed, thanks to the intervention of the Planning Committee in 1978, what was then the new building at 33 Creechurch was required to slope the upper floor to maximise light into the synagogue interior. For a while, this decision actually improved the situation. In the light of the current situation, it is an important precedent.

CONCLUSIONS

The recommendations produced in the **PPBM** are welcome but not sufficient because they demonstrate only a limited understanding of the significance of Bevis Marks synagogue as a heritage asset. Specifically, these recommendations fail to appreciate the importance of the sky view from the courtyard of Bevis Marks as an element of the “Immediate Setting”, and the relationship between Bevis Marks and the whole city block in which it is situated. This is because the **PPBM** refers only to historical, archaeological and architectural value but does not take into account religious or communal value – both past and present. More specifically, the **PPBM** shows limited understanding of Jewish history, ritual and religious practice in relation to this site.

Historic England guidelines state that “*significant places should be managed to sustain their values*” (Historic England Conservation Principles, Policies and Guidance, 2015, Principle 4). In the case of Bevis Marks Synagogue, this must include sensitivity to the religious and communal value of the synagogue to British Jews. This is a particular concern given the City’s obligations under the Public Sector Equality Duty to foster good relations between members of different communities.

On that basis it is clear that the definition of “Immediate Setting” as applied to Bevis Marks should be expanded to include the entire city block, and the view of the sky from the courtyard: a protection similar to that accorded the Monument.

Respondent

Representation received on 3 January 2024

Draft Policy Paper on the Immediate Setting of Bevis Marks Synagogue

Thank you for allowing us a preview of this paper.

I and others have read it over the festive period, and we are frankly taken aback at what it contains. In our view there is a serious flaw, and a fundamental omission, both of which are inter-related.

The serious flaw

The author of the paper, though clearly articulate and with some understanding of heritage matters, makes the unaccountable mistake of thinking that the immediate setting of the synagogue is all that matters. He or she effectively takes the view that the synagogue was deliberately closeted away from the rest of the City, and that all that matters is what happens to what you might regard as the "nest" that contains the "egg". They seem to think that what happens in the rest of the world beyond the "nest" is of no significance to the heritage value of the synagogue.

This is incorrect. Whilst the synagogue has indeed always been "hidden away", it has always been an essential part of the experience of visiting it that, once within the courtyard, the congregant's eyes have been lifted to the heavens. The roofline is not an architectural response to the sky in the way that a church steeple might be, but it is a very deliberate architectural response - the plain roof structure does not impinge upon the majesty of the sky; instead, the plain cornice/parapet frame the sky, and leave it unsullied. Originally, the sky view was completely unobstructed. Now, it is partly obstructed by tall buildings, but the viewer still experiences that sense of being uplifted upon entering the courtyard, as this photograph illustrates.



The fundamental omission

The fundamental omission is related to what is said above. The author of the paper pays no attention to the religious and symbolic relationship between the synagogue and the sky. The synagogue's historic Hebrew name is 'Sha'ar Hashamayim' which means 'Gate of Heaven'. These are the words carved in stone above the synagogue entrance gate, and painted above the synagogue's doors. The words originate in the Biblical episode of Jacob's dream of a ladder with angles ascending and descending.

Many Jewish rituals are determined by views of the sky. The Jewish Sabbath concludes at the appearance of three stars. These first appear in the darkening eastern sky and would not be viewable if the sky around the synagogue was further obstructed.

The new Jewish (lunar) month is marked by the appearance of the new moon in the night sky. A special prayer (*kiddush levana*) is recited each month only upon seeing the moon in the night sky. This ritual would become something that the synagogue community would not be able to do if buildings blocked out views of the eastern and southern sky.

Jewish prayer times are determined by the daily course of the sun. The sun's position going from east to west over the southern horizon determines the times of our prayers, and is the inspiration for much of our liturgy.

There is much more to be said on this subject, which is beyond the scope of this letter. The key point is that there is a really important set of considerations which relate to built heritage but which go much further, and which the Corporation currently seems poised to ignore completely.

Internal lighting

A further important factor is that natural light is of great importance to the synagogue, both for practical and ritualistic reasons. Already the building relies significantly on reflected light, which compromises its functioning. Any further buildings above the height of existing buildings would only make an unsatisfactory situation worse.

The solution

I urge you to reconsider this matter urgently, and not to publish the draft Local Plan with the "immediate setting" allocation as currently proposed. To do so would be to invite a considerable amount of further disquiet on the part of both the Jewish community and heritage organisations.

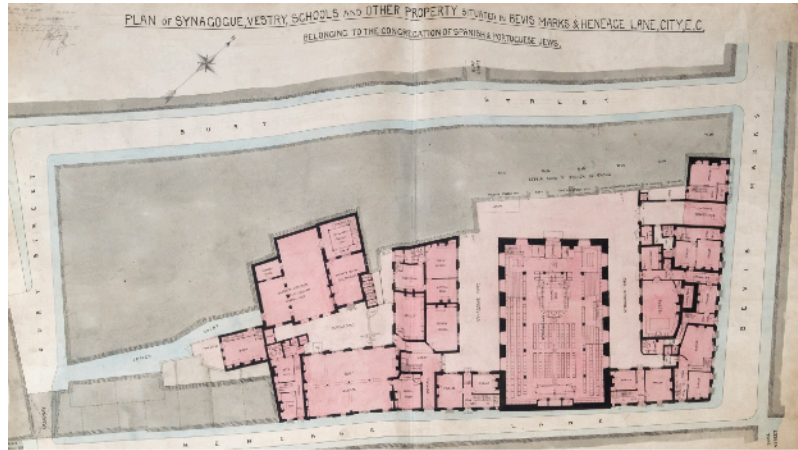
Instead, we suggest a modified version of the immediate setting approach, as summarised in the map below at right.

Borrowing from the approach you are already adopting in relation to The Monument, this defines a key sky view for protection: the revelatory view one experiences upon passing through the arch from the street into the openness of the courtyard. There is a case for also defining further views, as experienced by people passing from this point to the door of the synagogue, but we haven't at this stage attempted to draw those on the



map.

The map also shows the immediate setting designation extended to the embrace the whole block: an approach which is supported by historical analysis of the land and former buildings attached to the synagogue:



We will be pleased to discuss this alternative approach at your earliest convenience, and hopefully (as per email sent just before Christmas) at a virtual meeting at 5pm next Tuesday.

Yours,

Respondent