

# NOGOE

**No to Greenwich Olympic Equestrian Events**  
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Planning Department (comments on applications)  
London Borough of Greenwich  
Crown Building  
48 Woolwich New Road  
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SE18 6HQ

13th January 2010

Dear Mr Brown,

Greenwich Park, Application Nos 09/2598 and 09/2599

This is a preliminary statement of NOGOE's objection to LOCOG's applications. Fuller reasons with supporting statements will be sent to you by 27th January.

1. Greenwich Park is a royal park and an integral part of the Maritime Greenwich World Heritage site. It is rich in plant and animal life, of which a number of species are rare and the subject of statutory protection. It also has a significant archaeological heritage, much of which has still to be explored.
2. Greenwich Park is the smallest (and oldest) royal park and is almost totally surrounded by people's homes, some of which have direct access into the Park. There are approximately 4 million visits to the Park every year. Many are made by local residents, who live within a few minutes' walk of the Park and regularly visit for rest, recreation and exercise. However, with its Royal Observatory and ancillary buildings, as well as a compact setting with over 3,000 trees, lawns and fine views, it is a particular attraction for many of the millions of tourists who visit Maritime Greenwich each year.
3. Having regard to the Park's status as a World Heritage site, a grade 1 Listed Park, a Site of Nature Conservation Importance, a Conservation Area, an area of Archaeological Potential and with Scheduled Ancient Monuments (including two of archaeological significance that were designated by English Heritage in December 2009) and Strategic Protected Views, permanent development, which might impact on any of the above would never be contemplated.
4. We submit that the above proposition should be the starting point for consideration of LOCOG's applications for temporary permission, since it is now clear from the

**Patrons:**

**Dame Jennifer Jenkins, Blake Morrison, Dr David Starkey, Jonathan Sumption QC,  
Margaret Tyzack CBE, Sir Willard White**

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information provided that the applicant is unable to give any assurance that no permanent damage will result from the many areas of development, which it wishes to undertake across the Park. Furthermore, in normal circumstances, no proposal, even for temporary permission, which might result in significant or long term, but ultimately transient, damage of any consequence (or the risk of it), should be permitted.

5. However, while we reserve our right to challenge the proposition, we assume that in the exceptional circumstances of these applications, the local planning authority may wish to balance the adverse consequences of permitting the development (of which some of the principal ones are identified in para 9 below) against any public benefit which may be obtained from the use of the Park for the purposes of the Olympic Games.
6. In performing that exercise, we would submit that, in view of the Park's heavily protected status (see para 3 above), the Planning Board should be more than ordinarily cautious, and should only grant consent if it is satisfied that benefits substantially outweigh the adverse impacts. We draw a parallel with planning decisions in the Green Belt, where the starting point is a presumption against development – that is no less appropriate in Greenwich Park
7. Although we do not believe that there are any significant local benefits (we discount “prestige” as a planning consideration) in holding events in Greenwich rather than elsewhere, the balancing exercise should, in view of statutory provision, require consideration of possible alternative sites. Following a review of information provided in Section 4 of the ES, it is NOGOE's case that there is an obvious alternative site for equestrianism, namely Windsor. It is not in central London, but it is already in equestrian use with an acceptable arena, unlike Greenwich where a design has still to be finalised and, whichever were to be adopted (but in particular Option 3) would result in high (and unnecessary) carbon emissions. As for Windsor's location, it should be noted that most of the water sports are either to be held at Eton Dorney, which is less than three miles from Windsor, or at Weymouth<sup>1</sup>.
8. The applications should therefore be treated entirely on their own merits. No weight should be given to the previously expressed preferences of LOCOG or the Council as to the use of the Park.
9. In considering the applications, it is submitted that the following assessments are required:
  - The prospect of long term or permanent damage (or the risk of it) to the grassland and trees in the Park and the habitat that they provide for wildlife as a result of the provision of the proposed “temporary” facilities.
  - The implications to regular park users and tourists of closure of significant parts of the Park from as early as Spring 2010 (when a start on the preparation of the

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<sup>1</sup> While the distance from the Olympic Village would mean that an additional arena would be required for the equestrian element of Modern Pentathlon. It should be noted that the main objection from LOCOG has been in relation to cost (see the 2008 PWC Report), which should not be regarded as a planning matter.

track for the cross country course is planned) to at least 2015 (the estimated date for the completion of the restoration/replacement of large areas of acid grassland). Although not of direct relevance in the context of a planning application, we do not accept that the Secretary of State has the legal power to close the Park to general public use, and are contemplating the bringing of a legal challenge on this issue.

- The effect on traffic, public transport and other amenities throughout the borough (and beyond).
- The effect on local trade and businesses, particularly through the imposition of the Olympic “clean venue” policy (an issue to be discussed in our further submission).
- The lack of sustainability in installing and removing costly structures (in particular the arena or field of play and training areas, which are available at other potential venues).

10. To assist in the making of those assessments, we would request the Planning Board to take account of our comments on the following:

- Prematurity of the Applications
- Serious risk of damage to the archaeology and ecology of the Park
- Adverse social and economic consequences (including traffic and transport)
- Opposition of local residents
- Legal obstacles
- Availability of more suitable venues
- No assurance of reinstatement
- Test Event – lack of detail
- Absence of significant legacy

In our detailed statement, we shall be making submissions on all of the above, backed by evidence. The following paragraphs contain a summary of our submissions on many of the above.

### **Prematurity of the Applications**

11. LOCOG has already had over four years in which to prepare its case for planning permission, it should therefore have left no stone unturned to ensure that all necessary information had been collected and all reasonable concerns addressed before its applications were presented. It has failed to do that and the following are a few examples of important issues on which further information has still to be provided (as it has promised) to enable a proper assessment to be made of the proposals:

- Method of construction of the field of play
- Routing of cables and pipes to serve facilities throughout the Park
- Method of irrigation of cross country track
- Removal and restoration of acid grassland
- Further wildlife surveys
- Archaeology (including a detailed mitigation plan and test pits to be dug in the parterre)

- Trees (a detailed tree survey was not included within the planning documentation: it is, therefore, impossible to verify the exact location of the cross-country route)
12. Although not mentioned in the papers supporting the application, a firm of consulting engineers, Irriplan Limited was commissioned in April 2009 to carry out a water requirements study at Greenwich Park for Olympic equestrian eventing (see <http://www.irriplan.net/projects/>). If it is intended to use the conduits (see para 14 below) for any purpose in connection with the proposed events, full information should be provided by LOCOG before its applications are considered.

### **Serious risk of damage to the archaeology and ecology of the Park**

#### Archaeology

13. We have a variety of major concerns, some of which are set out in our letter of today's date to Mr Robert Creber of LOCOG (Appendix A) in which we requested a meeting to discuss them. We hope that it will have been possible to hold the meeting before 27th January, but in any event, we shall be giving evidence of our concerns by then.

#### Conduits

14. . The presence of a post-mediaeval conduit system is discussed in the ES, and is rated as of "High Importance". Some geophysical investigations were carried out on the instructions of LOCOG in the lower part of the Park, and 4 of these probes indicated the possible presence of conduits. An archaeological investigation by LOCOG is mentioned for these 4 sites, but they also say that this may result in the partial destruction of unidentified cultural heritage. The reality is that the exact whereabouts of the older conduits and their inspection chambers could only be ascertained by digging holes about every 2 feet throughout the Park.
15. We shall provide further evidence of our concerns with regard to the conduits by 27th January

#### Acid Grassland

16. The potential destruction of 2.3ha of U1 acid grassland and U1 intermediate habitats, which cover about 40% of the proposed cross-country course, is of great concern (the acid soil is to be stripped off and preserved). U1 acid grassland is listed as a UKBAP priority habitat, a London BAP priority habitat and a Greenwich BAP priority habitat. This is an uncommon habitat within London whose loss, without mitigation, would have a major negative impact. As it is, the prospective loss of 2.3ha for 5 years from early 2010 until 2015, when restoration is estimated to be completed, would seriously prejudice the wide variety of invertebrates that populate this area and the dependent food chain.
17. The above assumes that the restoration strategy would be successful and that the animal life would return. However, as we understand it, the programme and methodology for reinstatement and enhancement has not even been agreed and finalised with the Acid

Grassland Action Plan Working Group and Natural England as yet and appears to be entirely unproven.

Grassland on remainder of the Cross Country Course

18. ES para 3.4.1 states that:

*“Stable ground surface of appropriate firmness and with good grass cover is needed throughout all sections of the Cross Country course to safeguard the health and safety of both horses and riders”*

Preparation is to include aeration through spiking, reseeded, fertilising, irrigation and mowing. It is also intended to apply insecticides, thereby introducing a contaminant that will disperse through the groundwater channels, with the potential to cause additional serious harm to the ecology of the Park. No clear explanation is given as to why insecticide is needed in order to grow grass. Nor is anything said about the nature of the chemicals to be applied, many of which are subject to strict regulations and prior environmental assessment.

19. Instead para 11.6.41 states:

*“Insecticide application would be targeted to limited and localised areas within the extent of the Cross Country course treatment area, and only applied when populations of target species reach critical levels. As such, the likelihood of application is very low. Impacts on targeted invertebrate species within the Cross Country course would be substantial but all soil-dwelling larval species recorded within the Park are common. The loss of invertebrate numbers as a result of this application would be minimal compared to numbers likely to be found elsewhere in the Park.”*

Leaving aside the fact that the invertebrates may be common, LOCOG ignore the prospect of affected species entering into the food chain through those who feed on them.

20. Our concerns in relation to the track itself are both to do with the preparatory work and the consequences. Our primary concern in preparation is the risk of interference with archaeology that is to be found just below the surface – possibly less than the 120mm depth that is proposed for spiking in some areas (ES Para 3.4.3). No information has been supplied as to the method or depth of ground penetration that would be required for the laying of the proposed irrigation system and any underground cabling that may be required. In neither case is there an assurance that the work would be done under the supervision of an independent archaeologist.

21. As to the aftermath, we were pleased to see that our belief that there would be a significant difference between the appearance of the original parkland and the 5.8ha of improved track has been confirmed by The Garden History Society in its letter of objection dated 30th December 2009, in which it said:

*“Where even relatively minor ground disturbance has occurred, we find that visible evidence (due to uneven re-establishment of turf, the use of a different*

*grass seed or the artificial fertilisation of the existing turf) remains for many years. Such visible evidence on the scale which would arise from the Olympic events constitutes a significant adverse impact on the integrity and visual amenity of the Grade I registered landscape, and therefore conflicts with national and local planning policy.”*

We also regard the differential in appearance of the track that would have been treated to achieve “*appropriate firmness and with good grass cover*” (i.e. green and luxuriant) and the remainder of the grassed areas for years to come as a matter of major concern.

### Bats

22. There are serious deficiencies with the bat surveys. These did not comply with the BCT Survey Guidelines. Details of our concerns were provided to The Ecology Consultancy by e-mail dated 14th December 2009 (Appendix B) - no substantive reply has been received.
23. Further surveys are intended to be carried out in 2010 and 2011. However, the grant of planning permission should not be contemplated until reasonably comprehensive bat surveys have been completed out to establish whether the proposed works would have an effect on the Park’s bat population. In view of what is said in the ES, particularly in relation to the effect of lighting, it is difficult to conceive that there would not be an adverse effect. However, LOCOG’s attitude (expressed colloquially) seems to be: “there may be a problem, but first we’ll carry some further investigations and, if there is, we’ll sort it out” (see ES 117.17-18). The applicant ignores the point that a comprehensive surveys should be carried out before planning permission is applied for.

### Stag Beetles

24. These are another protected species (Wildlife and Countryside Act 1981). Their probable presence in the Park is recognised and a prospective increase in mortality due to the development is acknowledged in ES para 11.6.44:

*“... the proposed security (perimeter) and access lighting may disrupt night flying moths and night-active invertebrates in the vicinity of One Tree Hill, and may cause increased, albeit limited, mortality to species attracted to them including noteworthy moths and stag beetles.”* (emphasis added)

It is suggested that this is an inappropriately cavalier attitude and, if permission were granted for the development, it would also be likely to inform the attitude of those with direct responsibility for the work (no doubt working under huge time pressure to achieve completion in time), not just in relation to noteworthy moths and stag beetles, but other protected wildlife, whether or not so far identified. (emphasis added)

### Trees

25. Further detailed information is still required as to the trees adjacent to the track, which are vulnerable. In the meantime, general concerns about lopping and compaction around tree roots have not been alleviated by anything said in the ES. One of the glories of

Greenwich Park on a summer day is the consistently low canopy in scale with people on foot. A mounted rider needs 3m clearance to pass near or between trees. The proposed track passes through avenues on several occasions and the uniform appearance of a whole avenue would be spoilt by a few trees that have to be trimmed up as lower branches never regain their natural shape once cut back. For an example of trimming see the following photograph taken at Badminton in 2009.



26. Tree route compaction also remains a major concern. Whereas, measures may be taken (e.g. decompaction) to minimise the damage to trees adjacent to the track on the day of the cross country, the remainder will be vulnerable to significant compaction from the 75,000 visitors and construction traffic unless appropriate exclusion zones were to be provided, but no information about this has been found in the ES. In any event, whatever instructions may be issued to contractors, it is well known that in practice it is virtually impossible strictly to control individual members of the work force at all times.

### **Adverse social and economic consequences (including traffic and transport)**

#### Closures of the Park

27. Until receipt of the planning applications, NOGOE's major concern had been closure of parts and then the whole of the Park for roughly specified periods in 2011 (about 3 months – part only) and 2012 (6 – 8 months for parts and 6—8 weeks for the whole. Some concession was made in relation to the Flower Gardens and the Children's Playground. However, it was not made clear that from the time of virtually total closure, access would only be from immediately adjacent gates.
28. In the case of the Flower Garden, visitors would only be able to arrive through Blackheath Gate, but they would not have access to what many consider to be the more attractive area of the Gardens, namely the lawns, specimen trees, flower beds and views over the deer park, all of which would be fenced off. They would, of course, still be able to feed the ducks, but that is generally not considered to be a lengthy activity, when compared with the time that can easily be whiled away in the remainder of the Gardens. In reality, it is suggested that few would trouble to visit. However, the offer is a good example of the illusionary concessions that LOCOG seek to make.

29. Much the same point can be made for the Children's Playground. Because visitors would be unable to walk through the Park, the playground would only be likely to be used by local residents who lived close by in Greenwich and who could walk, there being no parking opportunities.
30. On review of the applications it is apparent that the general closures are far more severe than anticipated (or previously indicated by LOCOG):

- **Parterre:** ES para 12.6.6:

*"The lawns to the south and southeast of Queen's House are likely to remain disturbed until the end of the post Greenwich Park Event amenity grassland reinstatement works [i.e. two years]"*

We assume that this means that it is not intended to replace the 450mm of top soil over the field of play that will have to be removed whichever method of construction is used. And in Option 3 the worst case scenario, on which the applications are based, the compacted fill, laid to a height of 4 metres, would presumably remain in place until late 2012, as it would double the volume of carbon emissions for this exercise if the work had to be done twice.

LOCOG's comment that:

*"In the context of the sensitivity of the Park and the temporary nature of the works the magnitude of change is considered to be low Adverse resulting in **minor adverse effect.**"* (ES 12.6.7)

grossly understates the impact.

- **Cross country course:** ES para 3.4.13)

*"... access would be limited to areas of the course subject to treatment to allow the grass management regime to be fully effective. This could be achieved by cordoning off the narrow strip of the course (5-10m) through the grassed areas leaving multiple openings to enable park users to cross the course"*

Not only does the area to be fenced off (almost 6ha) constitute a significant percentage of the Park that is open to the public (approximately 10% of the total accessible area), but it would mean that direct access from one part of the Park to another will be impeded for up to three years, as work on the track is proposed to be started in Spring 2010. ^ as well as ball games (casual and organised)

- **Acid Grassland:** including the new acid grassland that LOCOG proposes to develop that part of the Park (another almost 5ha) of the Park would be fenced off at least until 2015.

Ignoring issues of permanent damage to the Park itself, which are dealt with elsewhere, if permission were to be granted, closures and fencing off of parts of the Park would severely compromise the ambience of the Park and its appeal to visitors

until at least 2015. Summing up the effect of the proposed events, LOCOG's assertion that: "*The net impact on leisure and amenity is considered to be of minor adverse significance*", demonstrates a complete detachment from the realities of what is proposed. The consequences of what is proposed are disproportionate and unreasonable, like so many other aspects of the applications and LOCOG's purported justifications for them (emphasis added).

#### Economic

31. We will deal with this topic in our further submissions.

#### Transport and Traffic

32. We are unlikely to wish to add much, if anything, to other objections that we have seen.

#### **Opposition of Local Residents**

33. We do not accept the validity of the October 2009 Nielsen Survey, on which LOCOG rely. The survey asserts that almost 85% of the local population are in favour of the use of the Park provided that (a) it would only be closed for a period of up to 8 weeks, (b) no permanent damage would be done to the Park and (c) considering the economic and social benefits.
34. We will be making a detailed submission on this in due course. For the moment we would point out that:
- (a) while the entire Park may only be closed for up to eight weeks, there are to be significant partial closures starting in three months time or less, extending through to 2015;
  - (b) on the basis of what is disclosed in the application, it is inescapable that there would inevitably be permanent or long term damage in some areas of the Park and that there would be an unacceptable risk of damage to the archaeology and ecology elsewhere in the Park;
  - (c) there is no evidence in the application of any meaningful social or economic benefits, as we shall discuss in our further submission.
35. We believe that the Nielsen Survey was seriously flawed and a complaint has therefore been made to the Market Research Society Standards Department on the grounds that its Code of Conduct has been contravened.
36. Contrary to Nielsen's findings are the NOGOE petition and the Bacon Survey, which lead to conclusions diametrically opposed to those of Nielsen (an Olympics sponsor):
- **NOGOE Petition:** Over 13,000 signatures were obtained by NOGOE in the summer and early autumn of 2009 to a Petition protesting against the holding of the events in the Park. The signatures were obtained on various week-ends outside the Park gates and through local interest groups. The Petition was presented to a full meeting of Greenwich Council on 27th October 2009, and also to No 10 Downing Street, the Mayor of London, the Minister for the Olympics and to UNESCO.

A sample analysis of the signatures show that 25% of the protestors lived in the London Borough of Greenwich, a further 55% lived in the SE London and Bromley postcode areas, 10% in other London Boroughs and 10% were visitors from other parts of the UK or overseas. The Park is a major attraction for South East Londoners.

- **Bacon Survey:** The Survey was conducted by GLA Member, Gareth Bacon, in late Summer 2009. It was carried out on the basis of general knowledge of what was proposed. Bacon described the public consultation on the part of the organisers as “woeful” in its inadequacy. Nevertheless, 68% of those who responded were opposed to events being held in Greenwich Park and now that detailed information is available it would be unrealistic to think that those whom LOCOG had previously described as subject to “scaremongering” would have been reassured by the content of the planning application and voted in favour.

37. We think that it is fair to say that the Bacon Survey and the Petition are a far better reflection of the attitude of local residents and Park users than Nielsen and that this will also be reflected in objections made to the planning applications. From our conversations with those whom we have met when obtaining signatures to the Petition and on other occasions, it would seem that the essence of the objections is the denial of access to the Park for years, not months as was originally thought, the prospect of serious damage to the Park (or the risk of it) and the anticipated traffic chaos.

### Legal obstacles

#### Closure of the Park

38. Although not strictly relevant to the planning process, investigation and legal advice to date suggest that it would be unlawful to close Greenwich Park to the public as proposed. It would in any event be unprecedented as the DCMS has acknowledged. Subject to confirmatory advice from leading counsel, NOGOE would if necessary apply for judicial review of any decision (we are not aware that a full decision has purportedly been given as yet) to permit it the use of the Park that is contemplated.

#### Circus Field

39. Both the Blackheath Society and concerned individuals have submitted to Greenwich Council as the current manager of the relevant part of the Heath, it should not permit LOCOG to enclose the Circus Field. NOGOE supports their submissions. It is to be hoped that the Council will urgently take action to prohibit use of the Field, in which case the applications on their current basis would be unable to proceed.

#### Availability of more suitable venues

40. We shall expand on what we have said above in our further submission

No assurance of reinstatement

41. If the events were to proceed, a massive amount of reinstatement would be required. In some areas (e.g. acid grassland, trees that have had to be trimmed or lopped back for rider clearance or subjected to root compaction from construction and /or spectator traffic, bat colonies and other wildlife), reinstatement may never be fully achieved, as LOCOG has properly conceded.
42. In other areas, it is reasonable to expect that visitors would see the Park in a “scarred” condition and that it would not return to its present (long-standing) appearance for many years. The most obvious instances where this would occur are the track of the cross-country course and the ground on which the field of play, stables and training areas are to be built.
43. Of equal importance is LOCOG’s status as a private company limited by guarantee. At a meeting with its representatives on 28th November 2008, we were told that a financial guarantee would be provided before work began. Occasional assurances have been made since then to the effect that it was under consideration, but there is no reference to it in the planning application.
44. If permission were to be granted, it is absolutely essential that a watertight legal document is drawn up backed by a financial guarantee from a first class bank in an amount sufficient to cover all necessary costs. We suggest that the Royal Parks should be involved in this process and that DCMS as the Department to which it reports should give a public assurance that if the financial guarantee is insufficient, it will make up the difference. We also propose that independent experts should be appointed to assist in the supervision of the reinstatement work.

Legacy

45. Although there are various references on the part of LOCOG to “legacy” from events in Greenwich Park, only two proposals which would directly benefit users of the Park can be identified. One is the extension of the acid grassland, but that has no proven precedent; the other is the installation of a jump within the Children’s Playground. With respect that is no more than a PR stunt.
46. Other suggested legacies, such as improvements to the Charlton lido, extension of the DLR and the possible construction of an equestrian centre in South London (but not in Greenwich) have little relevance to events in Greenwich Park.
47. The broader legacies referred to will benefit the community wherever the events take place

Test Event

48. We have made little reference to what is proposed in 2011 because so little information has been provided. It does, however, seem to us probable that the time required for preparation would be significantly longer than proposed. It is also the case that certain of the prospective wildlife surveys (e.g. bats) would not have been completed.

We see minimal, if any, benefit to the people of Greenwich from hosting the proposed Olympic events. With over 4 million visitors to Greenwich every year, we do not accept that it needs to be “put on the map”. Reference has, however, been made to potential economic benefits and we shall consider them in our further submission. As for participating in the spectacle, it would seem from LOCOG’s own predictions that only 230 pedestrians and 230 cyclists will attend on each competition day (Transport Assessment Table 8.1). Assuming that feet or bicycles will be the chosen means of transport for those who live locally, it would seem that LOCOG does not expect more than a handful of residents to enjoy the spectacle of Olympic competition.

As for the wider community, the equestrian events will be spectacular, wherever they are held and it seems far more appropriate that the competitions are held in a location that is accustomed to the hosting of international equestrian events and is without the multitude of counter indicators that afflict Greenwich

Having regard to the above, we request the Planning Board to reject the applications.

Yours sincerely,

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Coordinator

Dr Jane Sidell, English Heritage  
Robert Creber Esq, LOCOG  
Kim Hoffman, Senior Strategic Planner, London Assembly