

### **Zip Wire proposal on Helvellyn**

I would like to share with you my own experience as an immediate neighbour of Brockhole Visitor Centre where a zip wire was installed by Tree Top Trek in 2011, & a net-based tree-top attraction, Tree Top Nets, was installed this summer. There are number of similarities & lessons to be learned from this installation with regard to the proposal on Helvellyn.

The weight of the argument we presented in opposition of Tree Top Nets was so enormous that we couldn't believe that planning permission would be granted:

### **Contravention of Core Strategy**

First & foremost the LPA must make planning decisions in accordance with adopted Planning Policy – ie the Core Strategy. In our view this proposal contravened no fewer than 9 of its core policies, as follows: I will quote directly from the Core Strategy document where it applies.

**CS01 National Significance & distinctive nature of Lake District.** 'The **primary** strategic purpose of the National Park is To preserve & enhance its natural beauty, wildlife & cultural heritage, & to promote understanding & enjoyment of its special qualities'. We feel that the zip wire & Tree Top Nets experiences are ones of thrill, noise & excitement, more suited to the special qualities of Blackpool Pleasure Beach than the National Park. In our objection we stated that to claim that this attraction allowed the public to enjoy the woodland was like claiming that a Helter Skelter on the top of Helvellyn allows its users to enjoy the mountain. The trees are simply something on which to hang the walks, tunnels, slides & trampolines.

**CS03 Settlement Form.** 'The National Park will not permit development or inappropriate settlement expansion that compromises the area's special qualities or its distinctiveness'. The tranquillity & beauty of an historic registered garden & an iconic mountain will be absolutely compromised by this fairground attraction.

**CS10 Achieving Design Excellence.** 'Design should reflect the townscape, public realm & wider landscape, as well as complementing neighbouring buildings'. 9000 metres of netting & associated hardware of Tree Top Nets have the same visual intrusion as a high security fence. The supporting ropes, curtain netting, slides & trampolines blend together to form a blanket-like spider's web which covers more than 2000 sq metres of open woodland up to 11 metres in height, only 1 metre away from the boundary of the private drive belonging to local residents. In our initial conversation with Mike Turner we were promised natural coloured netting which would blend with the landscape. Instead we got red black & blue because as he said it stimulates the children. This driveway is also a public footpath and historic right-of-way from Troutbeck down to Windermere lake, which pre-dates any development at Brockhole. This public footpath is therefore an important visual receptor in terms of affecting the public views. In such a case the requirement for a Landscape and Visual Impact Assessment was relevant. None was supplied. In Helvellyn's case a footpath used by walkers will be used to convoy zip wire users. So there should be a Landscape & Visual Impact Assessment.

**CS11 Sustainable Development Principles.** 'Developments will minimise light & noise pollution'. At Brockhole in the summer months we regularly measured 78 decibels on our private driveway

immediately adjacent to the attraction. The recommended maximum is 50 elsewhere in the country & for some reason 55 in the LDNP. At the request of the Parish Council a noise assessment was carried out, based on assumptions of numbers of users. It was carried out on a rainy mid-week, mid-term day in February, where it was only possible to use the sound equipment for 15 mins because the weather was too bad for it to function correctly. Even based on that, the projected noise levels came out as borderline statutory nuisance. In that case it might be expected that a resulting decision would be made on the side of caution. This was not so.

**CS13 Planning Obligations.** ‘The National Park will seek planning obligations, to mitigate the impact of development’. The only mitigation we received was that there will be no floodlights, & that it can be open 364 days a year from 10-6pm, 7pm for the zip wire – in consideration of the neighbours. They will plant holly & yew along the boundary to our driveway which is unlikely to survive the shady, dry conditions, & even if it did is extremely slow growing & would take 30 years to reach the required height. On the recommendation of the head gardener at Brockhole we suggested laurel hedging along the boundary which would be more successful in limited mitigation of the noise & visual impact. Although I offered to pay for it Mike Turner refused to consider applying for this slight amendment to the plan.

**CS24 Delivering Sustainable Tourism..** ‘We will deliver sustainable tourism by ‘not introducing inappropriate activities, or levels of use, or otherwise being of a nature & scale detrimental to the character & quality of the environment. The NP will support proposals for year-round sustainable tourism where they will not materially affect: the character & appearance of the location by means of visual intrusion, increased traffic generation, noise, or any other form of disturbance. Assessments will be used to determine when a development will attract significant numbers of people’. We were told in the application that car parking had reached full capacity & therefore only existing visitors would use the attraction. This assumption hasn’t been born out. At its peak we had 350 users a day, & there are already plans to introduce additional car parking – planning submission is imminent. This summer on two occasions that I’m aware of, of traffic queues for Brockhole trailed back to Ings. A Highways Report should have been carried out to assess the impact of increased traffic off & on the A591. This did not take place.

**CS25. Protecting the Spectacular Landscape.** The vision of the NP refers to ‘a landscape which provides an irreplaceable source of inspiration, whose benefits to people & wildlife are valued & improved.. In assessing development proposals the highest level of protection will be given to the landscape. ‘Tranquillity is a key part of the landscape character: an emotional or spiritual quality difficult to assess by standard methods, even though surveys consistently show that people appreciate the relative solitude & peaceful character found throughout the National Park’. Only this week Radio 4 sent a presenter up Helvellyn with regards to a weather reporting & she was eulogising about what a blessed & peaceful place this was. Both Brockhole & the proposed Helvellyn development have an adverse effect on these assets. The proposed zip wire introduces a suburban element inappropriate in a rural setting. The type, design & scale reduces local distinctiveness, sense of place & tranquillity; It imposes noise & visual intrusion associated with intensive recreational activity.

**CS27 The Acclaimed Historic Environment.** . ‘Development proposals will seek to conserve & enhance the character, integrity & setting of the historic environment including historic parks &

gardens'. The character, peace, integrity & setting of Brockhole as an historic Grade 2 listed garden has been compromised, & of Helvellyn as an iconic mountain could suffer the same fate. It is sometimes argued that this peace & character of Brockhole has already been compromised (partly by the initial treetop trek & zip wire). So here we have a perfect example of incremental change which drip by drip compromises the integrity of an area. One change justifies another & another until the whole character of an area is changed.

The above show how the Tree Top Nets proposal contravenes the LDNP's core strategy. There are also additional criteria which any local authority applies to planning applications, & were in this case contravened.

### **Lack of Detailed Design.**

A detailed design was not submitted with the Tree Top Nets application. No design & access statement, site-specific sections, elevations, visualisations or planting plans were submitted. These are required in any planning application for a small residential extension of 3 metres width, & yet was not included here for a public development of such significant size and impact.

### **Noise**

In the Tree Top Nets proposal the developer claimed that the noise of the zip wire & its users would be unlikely to be heard over the existing noise of the adjoining Adventure Playground. In fact I find it significantly louder & more intrusive.

### **Conflict of Interest**

The Brockhole development went ahead. Was this partly due to the fact that we were up against a Planning Authority which belongs to the same body as the owners of Brockhole, the LDNP, who had a commercial investment in the application & stood to directly benefit financially from its approval? The same can be said to apply to the Helvellyn proposal. This process of governance allows for a conflict of interest. Surely assessment should be through an independent party with no vested interest? The proposed zip wire at Honister mine was repeatedly turned down. The same criteria & judgement should be applied here if there is to be a level playing field. Only yesterday the outgoing chairman of the National Trust, Sir Simon Jenkins stated that we in this country are much better at protecting architectural gems than our countryside & landscapes. The National Park is here to protect our landscape. Let it do that in accordance with its core strategy instead of focussing on this year's balance sheet at the expense of long-term sustainability.

### **Planning Process**

- Having undergone the planning process I hope to make you aware of how it works in practice.
- Anyone is entitled to submit an objection to applications for planning permission. However, those will be summarised by the planning officer for submission to the Development Control

Committee of the LDNP. In our case not one mention was made of the contraventions to core strategy in the summary of our objection to the Tree Top Nets proposal.

- You are permitted to attend the Development Control Meeting to present your case & allowed 5 minutes to do so. There is also the opportunity to make points when you are asked questions. In our case we didn't get this opportunity as we weren't asked any questions. The applicant on the other hand did.
- The applicant was accompanied by a senior Manager of the National Park who actually presented the application.
- Members of the Development Control Committee did come to visit the site. We as objectors were not given the opportunity to speak unless we were specifically asked questions.

**In summary:**

The Core Strategy should drive the decision-making of the National Park. In the case of Brockhole in my view it was ignored by the Planning Board.

The planning process is not policed by an independent authority. There are so many influential people who love the Lake District & would be horrified to see it being trashed in this way. Please don't hesitate to make them aware of this threat.

Carole Berryman