

# Newsletter 9

## December 2021



### How to do conservation

*John Scott was for many years Director of Conservation and Planning at the Peak District National Park before he retired, but he was born in the Lake District and knows it well. He reflects on the central role of tranquillity in policy making in the Peak District.*

Tranquillity is a natural resource and one of the essential qualities of the National Parks. National Parks are places where people can enjoy the special qualities of these areas, whether in an active way (walking, climbing, cycling, boating) or in a more sedate way, simply enjoying the landscape, the cultural heritage and the natural environment (birds, flowers, etc). One of the special qualities of our National Parks is the opportunity they provide for the quiet enjoyment of these exceptional places.

National Park Authorities have been given two purposes under the Environment Act 1995:

- conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Parks; and
- promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public.

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These purposes are equal, except when there is a conflict between them. In these circumstances the Sandford Principle comes into play - the 1995 Act adopts this approach as follows:

“If it appears that there is a conflict between those purposes, [the National Park Authority] shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.”

Recreational activities which cause harm to the natural beauty, wildlife and cultural heritage of the National Park, or indeed to the enjoyment of these qualities by other people, are contrary to the Sandford principle, as embodied in the 1995 Act.

In the Peak District National Park, the PDNPA recognises the importance of quiet enjoyment in its Core Strategy (2011) which provides its strategic planning policies. Policy RT1 deals specifically with recreation and tourism (see section D in bold):



*“RT1: Proposals for recreation, environmental education and interpretation must conform to the following principles:*

*A. The National Park Authority will support facilities which enable recreation, environmental education and interpretation, which encourage understanding and enjoyment of the National Park, and are appropriate to the National Park’s valued characteristics. Opportunities for access by sustainable means will be encouraged.*

*B. New provision must justify its location in relation to environmental capacity, scale and intensity of use or activity, and be informed by the Landscape Strategy. Where appropriate, development should be focused in or on the edge of settlements. In the open countryside, clear demonstration of need for such a location will be necessary.*

*C. Wherever possible, development must reuse existing traditional buildings of historic or vernacular merit and should enhance any appropriate existing facilities. Where this is not possible, the construction of new buildings may be acceptable.*

***D. Development must not on its own, or cumulatively with other development and uses, prejudice or disadvantage peoples’ enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park”.***

That is why the **protection of natural beauty, including tranquillity, is the key rationale for all Traffic Regulation Orders** the Peak District National Park has made on green lanes.

Tranquillity as an essential part of our countryside has been [mapped by the CPRE](#), showing how important our National Parks are in providing this refuge from noisy activities.

## The LDNPA's view of tranquillity

Tranquillity is also one of the Lake District's special qualities, central to its status as a National Park and World Heritage site. So it is reassuring that in a response to Cumbria County Council's draft Transport Infrastructure Plan the LDNPA stresses this quality, and the health benefits of the National Park as 'a new public service to the country'.

The LDNPA is broadly supportive of the Plan, but says that the Authority "would like throughout the plan a greater recognition of the value of the visitor economy and that **its strength is its tranquil landscape**, so transport developments should support this. This includes a greater emphasis on sustainable and active travel integrated through the plan, in order to precipitate modal shift away [sic] from private car travel."



*Access to open space for health and well-being is increasingly being seen as a new public service to the country, much like accessing a hospital is a service.*

LDNPA

"As a result of changes over the past 18 months associated with Covid-19 the Lake District has experienced changes in how people value access to open space. **Access to open space for health and well-being is increasingly being seen as a new public service to the country, much like accessing a hospital is a service. We think that this public service of accessing open spaces to provide health and well-being opportunities via transport networks needs to be reflected in the objectives, acknowledging places like the Lake District provide this service to local residents and the wider nation.**"

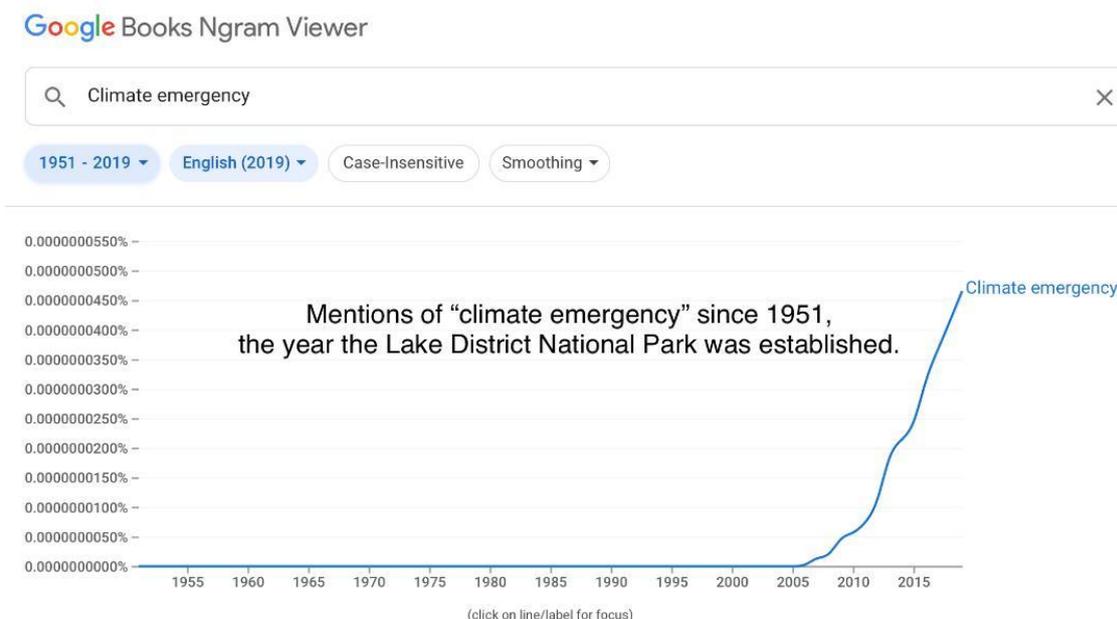
## The Environment Act 2021

Last month the new [Environment Act](#) became law. Underpinning it are five legally binding environmental principles. Their relevance to protecting green lanes is obvious.

- The integration principle states that policy-makers should look for opportunities to embed environmental protection in other fields of policy that have impacts on the environment.
- The prevention principle means that government policy should aim to prevent, reduce or mitigate harm.
- The rectification at source principle means that if damage to the environment cannot be prevented it should be tackled at its origin.
- The polluter pays principle is the principle that those who cause pollution or damage to the environment should be responsible for mitigation or compensation.
- The precautionary principle states that where there are threats of serious or irreversible environmental damage, a lack of scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

## What do you do when the facts change?

We've all seen the curve showing the alarming rise in global temperatures. The graph below reflects this by illustrating the emergence of "climate emergency" as a concept since 1951, the year the Lake District National Park came into existence. The facts have changed, and so has our knowledge of them. To quote John Maynard Keynes – "When the facts change, I change my mind. What do you do?" The climate crisis, together with a 41% decline of UK species since 1970, has to inform all our policies in the National Park, including the way we regulate green lanes. Extreme weather events and erosion/runoff caused by motor vehicles are a lethal combination.



## Where is the evidence?

Close the gate behind you, start walking on a green lane in the Lake District and you breathe a sigh of relief: you've left the tarmac roads, their traffic, noise and pollution. This is a different world of open fells, constantly changing views, the sounds of nature. Even some of the big words from the Lake District's World Heritage bid begin to make sense: a feeling of freedom, spiritual refreshment, connection with nature.

To many people – even if they've have never been to the Lake District – it seems utterly wrong that these tracks should be open to 4x4s and motorbikes driven purely for fun. In the past the Lake District National Park Authority has said that green lane driving is not compatible with National Park purposes. But to impose such a ban through a Traffic Regulation Order (TRO) the LDNPA needs hard evidence of the harm these vehicles cause.



## Two types of evidence: environment and people

We know that motor vehicles on unsealed roads pose a particular threat to the environment:

- **Erosion**, leading to runoff and sedimentation into ecologically vulnerable areas. Where tracks have been repaired with slate waste, the fine slate residue (fines) is washed off into areas next to the track. This particularly affects habitats on downslopes and nearby streams. Climate change with more extreme weather events makes these effects much worse.
- When vehicles go **off-track they destroy plants** and peatland in a place internationally important for its biodiversity. The signs of this, of illegal shortcuts and 4x4s getting stuck in boggy areas, can be seen near a number of heavily used tracks.

- **Various types of pollution**, e.g. from engine emissions, noise and artificial light. Elevated levels of pollution occur on an estimated 94% of land in Britain, especially for nitrogen oxides and particulate matters, with lower pollution levels mainly restricted to the uplands. Green lanes used by motor vehicles therefore play a significant part in spreading traffic pollution into remote upland regions such as those in the Lake District.



*Nitrogen pollution from motor vehicles is now a more important threat to fragile non-vascular plant ecosystems than SO<sub>2</sub>. One of many reasons why we don't want recreational off road vehicles thundering across our cherished fells.*

**The British Bryological Society (Promoting the study of mosses and liverworts)**

A summary of the scientific evidence on the environmental impact of green lane motoring is [available here](#). It is clear that these arguments alone require a more rigorous approach to regulating green lane motoring.

But there is also the harm done to the enjoyment of a vast majority of visitors, those who walk, cycle or travel on horseback. They come to experience the natural beauty of the Lakes, the special qualities that make it a National Park and a World Heritage site. As Richard Leafe, CEO of the National Park said in a recent interview: “Those reasons [for the existence of the National Park] of rehabilitation and reconnection with nature are as important now as they have ever been, even the escape from pollution in cities has never been more true.”

So what evidence do we have on the effect of motor vehicles on the vast majority of users: those who prefer muscle power to engine power? Plenty, it seems. from a survey carried out by the LDNPA itself in 2019. Altogether 688 respondents commented on two routes near Little Langdale (High Oxenfell and High Tilberthwaite). 86% non-motorised users said that motor vehicles had a negative impact on the special qualities of the National Park.

These comments show precisely how the special qualities of the National Park and their enjoyment of them have been affected. An evaluation by the environmental psychologist Dr Ryan Lumber of De Montfort University brings the main themes into sharp focus:

- Tranquillity and beauty diminished
- Stresses from city life introduced

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- Connection with nature disrupted
- Cultural heritage threatened
- Physical danger from motor vehicles on narrow sections
- Feeling of apprehension before and while walking the route
- Harm caused to the landscape, flora and fauna

This unequivocally establishes the disruptive effect of motor vehicles and their impact on the core qualities of the Lake District. Instead of being able to connect with nature, people now feel a clear disconnect. Crucially, this does not only arise in the immediate presence of 4x4s or motorbikes: even the prospect of meeting them is enough to induce a sense of stress and anxiety.

In the language of the law, the enjoyment of a route constitutes its amenity. It is precisely to protect and enhance this amenity as well as natural beauty that all 19 TROs in the Yorkshire Dales and the Peak District were introduced.

## Electric cars – the answer to all our problems?

Electric cars will play a useful part in lessening emissions; but it would be a big mistake to overestimate their role. We can't all just (even if we could afford it) trade in petrol or diesel-driven vehicles tomorrow, buy electric equivalents and then simply continue life on the roads as before, imagining we have "done our environmental bit". There are two main reasons for this, and a couple of other factors to consider.



*There are lots of ways in which your new EV (electric vehicle) might not be as green as you had hoped or realised.*

**'How green is your Electric Vehicle?' Financial Times, 5 October 2021**

**Hidden carbon costs.** The carbon footprint of any car can be quite large even before you drive it out of the showroom. All the various component parts need to be transported from somewhere, some will be dug out of the ground, rubber, plastic, metal

carpeting will need to be fitted, moulded or put together in huge factories, sometimes in conditions of extreme heat... every step of this process requires energy. Taking everything into account the environmental scientist Mike Berners Lee estimates that the "embodied emissions (by which he means the carbon expended in manufacturing the car) of a car typically rival the exhaust emissions over its entire lifetime". i.e. buying an electric car in the same range as a petrol-driven one will mean that you are creating about half the carbon you would with the old technology. A lessening of carbon-pollution by about 50% to be sure, but still a major source of pollution. So from an environmental point of view he ends up suggesting people hang onto their cars as long as they last. Then if possible go into a car share scheme with other people, but if you really have to buy new then buy an electric car and as small and light a one as possible.

*(Source Mike Berners Lee: How bad are bananas? Or The carbon footprint of everything – a highly recommended read & full of surprises)*

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**Particulate matter.** Electric vehicles do not emit nitrogen oxides thankfully, so that is one big gain, but a recent study by a pair of Dutch environmental scientists warned that: “The increase in Electric Vehicles has been hailed by many as the solution to urban air pollution, offering zero emissions and promising cleaner air for everyone. However, Electric Vehicle proponents often neglect to consider Particulate Matter emissions from non-exhaust sources, such as tire wear, brake wear, road wear, and resuspension of road dust.” This is particularly injurious to human health, and it seems that electric vehicles, because they tend to be on average 20% heavier than petrol-driven vehicles (largely because of the batteries they carry), actually emit higher levels of particulate matter. So in this respect again the picture is not as rosy as I and many others of us had hoped it would be.

*(Source “Non-Exhaust PM Emissions from Battery Electric Vehicles” Timmers & Achten)*

**Carbon neutrality of batteries.** Then there is the fact that while the National Grid still relies to an extent on coal-fired power stations, to that same extent recharging batteries is not carbon neutral.

**The sheer number of vehicles.** Another, perhaps obvious, observation is that electric vehicles won't solve our congestion problems in the Lakes. If we all simply swap electric for petrol our roads will become inexorably more and more grid-locked and less satisfactory for all of us whether road-users or pedestrians breathing in dust and other particulate matter. It is clear that we need an integrated public transport system in the Lake District, and yes, we ourselves need to use our cars less, buses more, bicycles more; and most of all, (and the only completely carbon-free mode of transport) our own two feet!

**No solution for green lanes.** And finally: electric vehicles won't solve our problems on green lanes. We know that on average they are 20% heavier than vehicles with combustion engines, which means that they cause more erosion on tracks without a tarmac surface. Erosion is of course a particular problem on the fell tracks of the Lake District, made for the feet of people and horses, and horse drawn carts, not for motor vehicles. It can result in other, indirect effects, for instance increased sedimentation in wetlands near green lanes.

So the message stays the same, in the words of the American ecologist Edward Abbey:

*“Industrial Tourism is a threat to the national parks. But the chief victims of the system are the motorized tourists. They are being robbed and robbing themselves. So long as they are unwilling to crawl out of their cars they will not discover the treasures of the national parks and will never escape the stress and turmoil of those urban-suburban complexes which they had hoped, presumably, to leave behind.”*

**George Wrigley. LDGLA**