

THE ROYCH

Statement of Reason for Proposed Traffic Regulation Order

The proposal is to make a traffic regulation order that will have the effect of prohibiting use by mechanically propelled vehicles at any time along the route known as the Roych Clough track.

The Roych runs from Rushup Edge, Derbyshire (grid reference SK 093825) to the Hayfield Parish boundary at South Head (Grid reference SK063847) a distance of approximately 3.5 km long. The route is an unclassified road.

The proposed order would be for the purposes of:

- preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
- preserving the character of the road in a case where it is specially suitable for use by persons on horseback or on foot
- preserving or improving the amenities of the area through which the road runs
- conserving or enhancing the natural beauty of the area, or of affording better opportunities for the public to enjoy the amenities of the area, or recreation or the study of nature in the area.

The proposal conforms to the Authority's Strategy for the Management of Recreational Motorised Vehicles in their Use of Unsealed Highways and Off-road and the Procedure for Making Traffic Regulation Orders.

The proposal follows consideration of consultation responses under Regulation 4 of the National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007. These responses identified various management options and were reported to the July Audit Resources and Performance Committee www.peakdistrict.gov.uk/committees.

Management problems associated with this route include user conflict and harm to its recreational value, the nature and condition of the route and the environmental sensitivity of the route. Actions have included logging vehicle use, a voluntary one-way system, advisory signage and repairs to the route. Detailed route management information is available at www.peakdistrict.gov.uk/priorityroutes.

The route is in a National Park designated for its exceptional natural beauty and in an area of Natural Zone where it is particularly important to conserve that natural beauty. The landscape, habitat and wildlife in this area are of international importance. There are cultural heritage, habitat, and wildlife features of national importance. These and other undesignated assets all make a significant contribution to the character of the Natural Zone. Much of the route has panoramic views and there is an impression of wildness and remoteness created by the open character of the moorland.

The historic nature of the route and its setting in the landscape as well as the variety of natural and cultural heritage features adds to the experience of using the route. The route also gives the opportunity for quiet enjoyment and to experience tranquillity, one of the special qualities that people value most about the Peak District National Park. Tranquillity and the freedom from intrusion is encompassed by the Natural Zone designation. Within this area there are no major sources of noise generation.

The Roych track is an essential part of the Pennine Bridleway National Trail. The Pennine Bridleway provides a nationally and internationally recognised trail and reflects the distinctive scenery and fine landscape through which it travels.

Appendix 1 sets out the conservation interests of the site. Appendix 2 sets out the factors which contribute to natural beauty and the opportunities for open-air recreation. Appendices 3 and 4 identify the effects of recreational vehicular use on the special qualities of the area.

The presence of mechanically propelled vehicles using the route, the anticipation of their presence, evidence of their passing, and the works that deal with their management have an impact on the natural beauty in this area and can detract from the experience and enjoyment by other users. The reference in section 5 of the National Parks and Access to the Countryside Act 1949 to the purpose of understanding and enjoyment of the special qualities of National Parks suggests a focus on quiet outdoor countryside recreation associated with the wide open spaces, wildness and tranquility to be found within the National Park. (Defra 2007)

Whilst it is recognised that motorised vehicle users, in undertaking their chosen form of recreation, also appreciate the special qualities of the area, their continued use of this area is adversely affecting those special qualities.

The nature of the route is such that mechanically propelled vehicles are visually and aurally intrusive over a wide area and there are difficulties in passing and avoiding other users. The level of vehicle use on this route has led to impacts on the special qualities of the area, the route surface, and increased the potential for conflict with non-motorised users. This is contrary to the aims for a National Trail which should be as easily passable for as many people as is practical, be safe, be maintained sympathetically to its surroundings, and be appropriate for its use. Government guidance suggests that 'a level of recreational vehicular use that may be acceptable in other areas will be inappropriate in National Parks and incompatible with their purposes.' (Defra 2007).

A range of restrictions has been considered. A voluntary one-way system for vehicles was implemented in 2011 in an attempt to remove the potential for conflict, especially between four-wheeled motorised vehicles. However, even though this was complied with to some extent, conflict still occurred between mechanically propelled vehicle (MPV) users and non-vehicle users on a route where the expectation is for a standard of quality consistent and appropriate to a National Trail in a National Park. A width or weight restriction would reduce the overall numbers of MPVs yet 2-wheeled use is still significant and intrusive in the landscape, with the potential for conflict with other National Trail users. A weekend restriction could also reduce the overall level of use although there could be an element of displacement to other days of the week. Notwithstanding this, the route forms part of a long distance trail and will be used at all times of the week and impacts from the evidence of passage of vehicles would still remain.

On balance, it is considered that continued use by mechanically propelled vehicles on the Pennine Bridleway section of this route for the purposes of recreation would have an adverse impact on the significant ecological, archaeological and landscape interests, the natural beauty, amenity and recreational value of the area, and the special characteristics of the route.

In balancing the duty in s122(1) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the factors set out in S122(2) of the Road Traffic Regulation Act (RTRA) 1984, the Authority believes the need to preserve the amenity and conserve the natural beauty of the route outweighs the needs of mechanically propelled vehicular users of the route notwithstanding that such a restriction will affect the expeditious and convenient use of the route by mechanically propelled vehicles. For vehicles seeking to use the affected route as a through-road, there are alternative routes on metalled roads in the area.

Exceptions to the prohibition are proposed for:

- a) use by emergency services or by any local authority or water company in pursuance of their statutory powers and duties
- b) use to enable work to be carried out in, on, under or adjacent to the road
- c) use for the purposes of agriculture or land management on any land or premises adjacent to that road
- d) use as a recognised invalid carriage as defined in the Use of Invalid Carriages on Highways Regulations 1988
- e) use upon the direction of or with the permission of a Police Constable in uniform
- f) use with the prior written permission of the Authority

This statement accompanies the proposed order, notice of proposals and map showing the extent of the proposed restrictions. These may be viewed at www.peakdistrict.gov.uk/consultations and at Aldern House, Baslow Road, Bakewell, Derbyshire, DE45 1AE from 8.45am to 5pm Monday to Friday (closed Bank and Public Holidays and closed at 3pm on Christmas Eve).

If any person wishes to make any representations relating to the proposed order, they must do so by 2 November 2012 via the consultation webpage referred to above or by e-mailing roych@peakdistrict.gov.uk or by writing to Rights of Way at the above address.

Appendix 1 – Conservation Interest

Appendix 2 – Natural Beauty and Recreation

Appendix 3 – Impacts of Mechanically Propelled Vehicles

Appendix 4 – Special Qualities

Ref: Guidance for National Park Authorities making Traffic Regulation Orders under section 22BB Road Traffic Regulation Act 1984, Defra, 2007

Appendix 1 - The Roych - Conservation Interest

Ecological Interest

A section of the route at Roych Clough is adjacent to the South Pennine Moors Special Area of Conservation (SAC) and the Dark Peak Site of Special Scientific Interest (SSSI). Section 3 Woodland/Natural Zone is also at this location with the route westwards from this bordered to the north by Section 3 Moorland/Natural Zone.

The South Pennine Moors SAC was designated for the presence of three internationally important habitats listed in Annex 1 of the European Habitats Directive 1992, two of which - European dry heaths and blanket bogs – lie adjacent to the route.

The Peak District Moors SPA was designated for its internationally important populations of three bird species, including Golden Plover which are recorded within 500m of the route.

The Dark Peak SSSI was designated for its complex of nationally important upland vegetation types and its nationally important moorland breeding bird assemblage. In addition to the bird species mentioned above, Curlew (amber list species of conservation concern, UK and local Biodiversity Action Plan species (BAP)) are recorded within 100m of the route. Skylark (red list, UK and local BAP) and meadow pipit are also recorded in the area.

The Natural Zone designation comprises habitats falling within the Section 3 map defined by the Wildlife and Countryside Amendment Act 1985 as areas whose natural beauty it is particularly important to conserve.

The route falls within the Dark Peak Nature Improvement Area which forms part of an Ecological Restoration Zone proposed by the Making Space for Nature Review, 2011.

Other habitats include semi-natural woodland at Roych Clough.

Archaeological Interest

The route runs through a range of Historic Landscape Character areas - Post-1650 enclosure, regular Piecemeal/Award, no details; Post-1650 enclosure: Parliamentary Award; enclosure of unknown date; and Enclosed Moorland. Green Low, a bronze age cairn to the north of the route, is scheduled.

The Scheduled Monument which lies 70m from the route was designated for its nationally important earthwork remains and the archaeological deposits which survive within it.

Two further archaeological sites, a Bronze Age barrow damaged by ploughing and a linear bank feature which may be an early trackway, are identified on the Historic Environment Record (HER) as heritage assets of local and regional importance whose conservation contributes to the overall cultural heritage of the NP.

In addition to the above sites, there are other features which have been recorded adjacent to the route as a result of discrete surveys. These include hollow-ways, quarries and a house platform.

Landscape Interest

The Roych lies within the Natural Zone within the National Park and the Dark Peak Landscape Character Area.

The National Park is designated for its internationally and nationally important landscape.

The Natural Zone designation comprises areas whose natural beauty it is particularly important to conserve. Within the National Park it comprises the wilderness areas in which the influence of man and of development is less marked.

The overall strategy for the Dark Peak LCA is to protect the remoteness, wildness, open character and tranquility of the Dark Peak landscapes, and manage these landscapes to mitigate the impacts of climate change. The route is within the Moorland Slopes and Cloughs Landscape Character Type within the Dark Peak LCA.

Appendix 2 – The Roych – Natural Beauty and Recreation

The following identifies how the special characteristics of the area meets the tests for designation as a National Park and the evaluation of opportunities for open-air recreation.

Natural beauty

Landscape quality i.e. condition, that is the intactness of the landscape, the condition of its features, its state of repair, and the absence of incongruous elements:

- Landscape elements and features in good condition; some erosion to rights of way
- Landscape unspoilt with no notable incongruous features

Scenic quality i.e. appeal to the visual senses, for example due to important views, visual interest and variety, contrasting landscape patterns, and dramatic topography or scale:

- Panoramic and far reaching views along sections of the route
- Moorland clough
- Contrast between farmland and open country

Relative wildness i.e. the presence of wild (or relatively wild) character in the landscape due to remoteness, and appearance of returning to nature:

- No nearby settlements or houses
- Sections of unenclosed moorland
- Sense of remoteness and wildness, particularly at Roych Clough

Intrusiveness/tranquillity i.e. freedom from undue disturbance. Presence in the landscape of factors such as openness, and perceived naturalness:

- Adjacent to extensive area of open country
- Adjacent to Natural Zone/section 3 moorland and semi-natural woodland
- 'B' road at Rushup Edge is a detractor from tranquillity

Natural heritage features i.e. habitats, wildlife and features of geological or geomorphological interest that may contribute strongly to the naturalness of a landscape:

- European dry heaths and blanket bogs
- Internationally important Golden Plover population
- Curlew nesting grounds
- Acid grassland and wet flush communities
- Semi-natural woodlands
- Roych Tor

Cultural heritage features i.e. archaeological, historical and architectural characteristics or features that may contribute to the perceived beauty of the landscape:

- Packhorse route running from Tideswell to Hayfield
- Nearby scheduled bronze age remains
- Hollow-ways

Associations i.e. connections with particular people, artists, writers, or events in history that may contribute to perceptions of beauty in a landscape or facilitate understanding and enjoyment:

- Referred to as the Packhorse Road

Recreation

Access to high quality landscapes, memorable places and special experiences i.e. opportunities to enjoy scenic quality, relative wildness, and peacefulness etc:

- Pennine Bridleway National Trail
- Outstanding views
- Good footpath and bridleway links and access to extensive areas of open countryside

Presence of a wide range of natural or cultural heritage features, landmarks and designations that cumulatively enrich the landscape experience:

- Historic track
- Diverse range of opportunities

Range of outdoor recreational experiences which enable people to enjoy the special qualities of the area and do not detract from the enjoyment of the area by others i.e. quiet outdoor recreation:

- National Trail
- Easily accessible from surrounding settlements and B&B accommodation
- A means of access for activities in the area
- Scope for a variety of walks
- Opportunities for nature study

Scope for management of recreation to enhance recreational opportunities or protect the conservation interest of the Park:

- Repairs to the route
- Restrictions to recreational motorised vehicle users

Appendix 3 – The Roych – Impacts of Mechanically Propelled Vehicles

Ecological Impacts	Possible Mitigation
<p>Loss of vegetation adjacent to the route In places the route has widened over time resulting in a net loss of vegetation. Segregated routes for horse riders have been used as an alternative in places and show signs of overrunning by vehicles.</p>	<ul style="list-style-type: none"> • The route is narrow in places with limited opportunities for widening it. Widening would further reduce the amount of vegetation and would result in further impact on the ecology of the area. • Reinstatement works planned by Highway Authority with contribution from Natural England. Fencing, bunds and boulders could prevent some deviation but would impact on landscape and the character of the National Trail. • Liaison with Natural England and PDNPA Ecologist over vulnerability, sensitivity and capacity issues. • Voluntary code of conduct ('keep to defined track') unsuccessful in preventing damage.
<p>Development of parallel tracks to avoid vehicles/poor sections of surfacing The route passes adjacent to designated areas which are vulnerable to motor vehicles deviating from the route. Segregated routes for horse riders have been used as an alternative in places and show signs of overrunning by vehicles.</p>	<ul style="list-style-type: none"> • The route is narrow in places with limited opportunities for widening it. Widening would further reduce the amount of vegetation and would result in further impact on the ecology of the area. • Additional fencing, bunds and boulders could prevent some deviation but would impact on landscape and character of the National Trail • Maintain the route where surfacing poor. Works planned by Highway Authority with contribution from Natural England. Consider appropriateness of surfacing with respect to designations and character of the area. • Liaison with Natural England and PDNPA Ecologist over vulnerability, sensitivity and capacity issues. • Voluntary code of conduct ('keep to defined track') unsuccessful in preventing damage.

Ecological Impacts	Possible Mitigation
<p>Noise and disturbance impact on wildlife Disturbance to nesting birds where susceptible to disturbance.</p>	<ul style="list-style-type: none"> • Level and timing of use being monitored. Liaison with Natural England and PDNPA Ecologist over vulnerability, sensitivity and capacity issues. • Voluntary code of conduct (effective silencing, ride quietly) unsuccessful in preventing disturbance.
Archaeological Impacts	Possible Mitigation
<p>Impact on the setting and therefore the significance of nationally designated and currently undesignated heritage assets Intrusiveness of vehicles has an impact on the setting of features. Evidence of passage or works to deal with that have an impact on the character of the area and hence the setting of features.</p>	<ul style="list-style-type: none"> • Level and timing of use being monitored. Liaise with English Heritage over vulnerability, sensitivity and capacity issues. • Fencing, bunds and boulders could prevent some deviation but would impact on landscape and character of the National Trail.
Landscape and Visual Impacts	Possible Mitigation
<p>Visual impact of vehicle movement in the landscape over a wide area The impact from the passage of vehicles during the day or night is affected by the large visual envelope of the route, the popularity of the route for all users including its promotion as a National Trail and the special characteristics of the area. There are periods of reduced transience where vehicles find difficulties in passing or as a result of the volume of vehicles.</p>	<ul style="list-style-type: none"> • Level and timing of use being monitored.

Landscape and Visual Impacts	Possible Mitigation
<p>Wheel ruts Evidence of the passage of vehicles is seen by wheel ruts on and adjacent to the route including on segregated sections.</p>	<ul style="list-style-type: none"> • Maintain the route where surfacing poor. Consider appropriateness of surfacing with respect to designations, character of the area and its designation as a National Trail. Liaise with Highway Authority/Natural England. • Voluntary code of conduct ('do not use roads which may be seriously damaged by wheel pressure, do not travel on green roads where they risk being damaged beyond a point of natural recovery') unsuccessful in preventing disturbance
Social Impacts	Possible Mitigation
<p>Deterrence of use by non-MPV users from presence or anticipation of vehicles Disturbance from vehicles on a long-distance National Trail.</p>	<ul style="list-style-type: none"> • Signage indicating the range of classes of users • Voluntary code of conduct (limit to group sizes and 25 mph for motor bikes) unsuccessful in preventing disturbance
<p>Noise impact on people Disturbance from vehicles on an elevated route with limited noise attenuation.</p>	<ul style="list-style-type: none"> • Voluntary code of conduct (effective silencing, ride quietly) not always applied
<p>Damage to the surfacing of the route, gates and signage The surfacing of the route has been damaged by use by vehicles despite significant capital investment. Damage to gates causes accessibility issues for all users of the National Trail and impacts on stock control.</p>	<ul style="list-style-type: none"> • Maintain the route. Consider appropriateness of surfacing with respect to designations, character of the area and its designation as a National Trail. Liaise with Highway Authority/Natural England. • Voluntary code of conduct ('do not use roads which may be seriously damaged by wheel pressure, do not travel on green roads where they risk being damaged beyond a point of natural recovery') unsuccessful in preventing damage.

Appendix 4 – The Roych – Special Qualities

<u>Quality</u>	<u>Value</u>	<u>Impact by Mechanically Propelled Vehicles</u>
The natural beauty, natural heritage, landscape character and diversity of landscapes	Range of protected habitats and species; wild unsettled landscape with exposed views over lower ground; intimacy of moorland clough	Ecological – damage and disturbance and risk of disturbance Archeological – impact on setting of features Visual - presence and evidence of use
Clean earth, air and water	Range of protected areas; away from sources of pollution	Pollution
A sense of wildness and remoteness	Extensive tract of moorland and open country; can be affected by popularity of the area	Visual – presence and evidence of use Noise - transient but over a wide area
The importance of wildlife and the area’s unique biodiversity	Range of protected habitats and species; accessible areas for the study of nature	Damage and disturbance and risk of disturbance
Thousands of years of human influence which can be traced through the landscape	Range of historic features apparent in the landscape	Impact on setting of features
Trees, woodlands, hedgerows, stone walls, field barns and other landscape features	Range of landscape features providing a contrast with the moorland edge	Damage to walling
Significant geological features	Prominent feature	None/negligible
Opportunities to experience tranquility and quiet enjoyment	Freedom to explore away from sources of noise; can be affected by popularity of the area	Noise - transient but over a wide area. Conflict with other users
Opportunities to experience dark skies	No significant light sources in an extensive tract of land; some sky-glow	Night driving

<u>Quality</u>	<u>Value</u>	<u>Impact by Mechanically Propelled Vehicles</u>
Opportunities for outdoor recreation and adventure	Route of national importance; recreational pursuits of quality, diversity and challenge	Conflict with other users
Opportunities to improve physical and emotional well being	Part of a National Trail; variety of modes of access and recreation	Conflict with other users
The easy accessibility for visitors from surrounding urban areas	A long-distance National Trail; proximity to Chapel and Hayfield	Deterrence of other users
The cultural heritage of history, archaeology, customs, traditions, legends, arts and literary associations	An important area for access to the landscape that contains these elements	Impact on features and their setting
Environmentally friendly methods of farming and working the land	Area of upland farming	Damage to gates and disturbance to stock
The special value attached to the National Park by surrounding urban communities	Nearby communities and links to Manchester	Deterrence of other users
The flow of landscape character across and beyond the National Park boundary providing a continuity of landscape and valued setting for the National Park	National Park boundary visible	
Sense of place	Boundary of open country	Visual – presence and evidence of use Noise - transient but over a wide area