

The Hillyfield

Appeals

3140928 - Prior Notification Decision 1 (PND1)

3146596 - Enforcement Notice 1 (EN1)

3146597 - Enforcement Notice 2 (EN2)

3168180 - Prior Notification Decision 2 (PND2)

3191100 - Refusal of Planning Permission 1 (RPP1)

Proof of Evidence by Doug King-Smith

Appellant and Owner of The Hillyfield

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Summary of Proof

Doug King-Smith

- I am the appellant and the owner of The Hillyfield and I am responsible for all areas of work directly related with the management, restoration, use, and development of the land.
- I engage and manage volunteers in helping with the ongoing management activities at The Hillyfield.

Pre-purchase advice

- In 2009, prior to purchasing The Hillyfield, I wrote to Dartmoor National Park with a clear proposal for the work I hoped to carry out.
- All of the advice I was given was that the proposals I put forward (including the Barns needed for the forestry enterprise) for the woodland management and associated business were in keeping with DNPA policy and the ongoing restoration of the woodland.
- Accordingly, I purchased the Hillyfield in 2009 and set about its restoration.
- This Preliminary Enquiry is a key to understanding our current planning situation. It demonstrates that when there was a formally qualified forestry expert working within DNPA, with responsibility to work with woodland owners and to further National Park duties and goals, there was a positive and supportive attitude towards small woodland restoration on Dartmoor.

Changes at DNPA and its Impact

- In March 2012 DNPA ceased their forestry advice service entirely, they have subsequently had no qualified forestry experts on their staff, and as a result their planning attitude to small woodland management has become more negative.
- Paradoxically, DNPAs Plans and overarching objectives still support small woodland restoration in line with advice from UK Government and National Parks England.
- My experience with the Dartmoor National Park Planning Authority since March 2012, despite my attempts to seek a positive relationship, has been one of continued and unjustified obstruction, confusing advice, lack of support, poor communication and, subsequently, enforcement action. All of this ultimately risks destroying this woodland restoration enterprise, despite my preliminary enquiry and all the capital I, and the public purse, have invested in the project.
- Such projects are welcomed and supported elsewhere in the country, and particularly within National Parks, and are supported by National and Local Policy guidance.

The Hillyfield

- The Hillyfield is an 18ha mixed agriculture and forestry holding, about 50% of which is woodland, located in the valley of the River Harbourne, due south of the hamlet of Harbourneford.
- The site is on the southern periphery of Dartmoor National Park, whose boundary runs east to west at this point and is marked by the A38 Expressway which is due south of the holding at a distance of approximately 200m.
- The Hillyfield is typical of the area and forms an intrinsic part of its landscape character, sadly one that is endangered by the loss of woodlands due to chronic neglect.
- The Hillyfield is an interesting valley with many different ecological and landscape features. The river winds through the valley bottom, past significant rocky outcrops in the woodland area, and then through the open valley bottom, flanked by woodland, pasture and lakes.

New Access

- The implementation of a new access has resolved all access difficulties to the site and taken all vehicle movements away from the village.

Management of the Site

- Due to the 35 years of neglect in the woods, compounded by the discovery of *Phytophthora Ramorum* in 2011, the management of the woods has taken the vast majority of my attention and time since purchase, forcing the majority of the agricultural land to be rented out to a neighbouring farmer to help manage the grazing.
- Control of invasive species including cherry laurel, japanese knotweed and bamboo alongside the forced felling of large areas of japanese larch due to disease has meant the management of the woods has been an uphill struggle.
- This has been compounded by the planning difficulties caused by the obstructive approach taken by officers of Dartmoor National Park, an approach which seems to be contrary to their stated policies and duties as well as national policies and guidance.
- There is rich and varied ecology at The Hillyfield including the ancient woodlands.
- The Ancient woodland is itself an irreplaceable resource, important for its wildlife, soils, recreation, cultural value, history and contribution to the landscape.
- A recent ecological report concludes: *'Overall, we commend the current management of the wood which is achieving ecological enhancements and a high standard of management, despite difficult site conditions and the enforced major felling of diseased larch'*.
- The Hillyfield is a mixed agricultural and forestry holding with an active forestry enterprise and an embryonic agricultural enterprise.
- Our management approach is committed to sound ecological practices and aims to engage the public in various aspects of its work through offering multiple ways for people of all ages to get involved.
- The Hillyfield had been a part of a larger agricultural holding in the past but was split from the main farm as it was less productive land. Before I took on ownership, a number of previous owners sought to use it for shooting and fishing, leaving the pasture and woodlands unmanaged.

Business Model

- The lower potential productivity of the land, which caused it to be sold off, also mitigates against it being brought back to use as a viable enterprise using modern farming and forestry methods. For these reasons, a combination of traditional and modern progressive techniques are being employed with a more labour intensive approach in order to make the holding viable.
- Our woodland management is guided by our Forestry Commission approved Woodland Management Plan which helps deliver the targets set in the Dartmoor Habitat Action Plan for Woodland.
- The Hillyfield benefits from an unusual business model which eschews intensive, mechanised management of the woods in favour of labour intensive methods with coppicing and continuous cover management utilising lighter machinery, horses and manpower. At the heart of this approach is the extensive engagement of volunteer labour. Over 3000 person hours are worked by volunteers on average each year.
- The Hillyfield is managed to provide ecological, economic and wider community benefits and *inter alia* it also provides landscape benefits.
- Our woodland management aims to support and enhance biodiversity whilst developing a viable woodland enterprise.

- In terms of the practical forestry management at The Hillyfield, our ‘modern progressive’ approach embraces the multiple benefits which come from balancing a more traditional, low-impact and small-scale approach to the management of woodland with Continuous Cover Forestry, aspects of community engagement, and the adding of value where possible to the timber that we grow on site.
- Volunteers provide The Hillyfield with the labour it requires to progress with its tasks whilst providing benefits in kind to the volunteers, such as learning from the work, improved skills, fitness, appreciation of the landscape and natural environment, self-worth, friendships, etc.
- With increased financial viability there will be scope for new job creation in forestry work at the Hillyfield. However, volunteers will always have an important place as a part of this management approach.
- The traditional labour-intensive approach at The Hillyfield maintains the landscape features of the area simply by the practice of good husbandry. The steep slopes are forested and managed by traditional means, such that clear felling by heavy machinery is replaced by selective felling and continuous cover. The tree species are largely native broadleaf. The open pastures are grazed and managed under organic stewardship.
- Our plan is for forestry buildings to be constructed mainly from local materials (timber from the Hillyfield), located in places most suited to the operation of the holding and to sit comfortably in the landscape due to their traditional scale, design and function.
- The Hillyfield is a working holding committed to developing a well-managed active woodland enterprise, and a productive agricultural holding on what has, in the past 35 years, been left as an unproductive, neglected upland area.
- Our forestry enterprise fits well with the Dartmoor Woodland Strategy, successfully delivering 6 out of 8 Priorities for Action.
- We sell home-grown firewood and milled timber to local markets. The income generated through the sale of our home-grown timber is supplemented by various events and activities taking place on the land within the ‘28-day rule’ of permitted development.
- As time allows we will continue to develop our forestry business as well as the agricultural element of the farm to provide food, fodder, and farm livestock.
- For several generations, small woodlands like The Hillyfield have been neglected due to their lack of economic value. Restoring these woodlands to active management is sought in the Government’s Forestry and Woodlands Policy Statement (Jan 2013).
- The economics do not add up for small woodlands if they just sell the round wood stems unprocessed as the value is too low. Our income is from the traditional primary processing of timber into rough sawn planking and the processing of lower grade timber into firewood and other wood products which is essential to add sufficient value to the timber grown on site for any small woodland forestry business to become viable.
- An active forestry business is essential to deliver the habitat and other benefits implicit in sustainable woodland management.
- The matters raised by this Public Inquiry, specifically regarding their potential impact upon viable small woodland restoration projects, has been of considerable interest to the local and national forestry community. Because of this, we have received many letters of support for our case from experts throughout the industry.
- There is significant work and expense involved in the early stages of bringing a woodland back into sustainable active management. Our labour-intensive approach using volunteers is the only way we could get this far or have a realistic expectation of reaching a profitable and sustainable long-term enterprise.

- Once the buildings required have been constructed there should be very little need for additional capital investment to sustain the project.
- The current income stream is limited by the lack of permanent buildings suitable for dry storage and workshop tasks. On most farm holdings such buildings would be in place and no issue would have arisen. It was one of our concerns when considering purchasing The Hillyfield, hence the preliminary discussions with the LPA before investing.
- Other income has included monies raised during events and activities, as well as donations.

Temporary Structures and Permanent Buildings

- The lack of appropriate permanent buildings has increased the level of expenses incurred in the running of the enterprise and limited the income potential.
- Future business performance is inextricably linked to the outcome of the appeals being considered here:
 - The current temporary infrastructure underpins the enterprise so far as it is able.
 - The barns under appeal are the necessary infrastructure for the establishment of the enterprise and its long-term sustainability.
 - Accommodation for short-term volunteers is crucial to the ability to manage the woodland in accord with the management plan. Any outcome which removes all forms of accommodation will require a different management plan and will not be able to deliver the economic, environmental and social benefits of the current one.
- There are wider implications of the failure of The Hillyfield, which is seen by many foresters as an exemplar for returning neglected small woods back to profitability and to advancing the national agenda for woodland restoration in the UK.
- None of the structures used today have been built with the intention of being a permanent working solution, but rather a temporary set-up to facilitate the essential work at hand until I could build the forestry barns I needed.
- Despite their inadequacies, these structures served us so far and have most importantly enabled us to carry out a tremendous amount of work in restoring our woodland holding. They also provide, as far as is practicable, for the (very) basic needs of a small and committed working team of volunteers.
- Withholding of planning permission has held back the development of my enterprise significantly given that for the past 6 years I have not been able to store my firewood or milled timber in a dry barn, and instead have had to rely on inadequate temporary facilities. This has therefore cost me many customers and limited my business potential.
- With a proper wood drying barn to cut, stack and store, timber would always be available for customers to choose from. This should have been a simple permitted use to support my forestry business. However, I was refused permission for this, and the temporary timber drying store I erected is very limited due to its size and is now under enforcement.

Volunteers

- As well as engaging local volunteers in regular participation, some volunteers have been willing to offer extended periods of work (averaging 39 days per year). They generally sleep on site and help with the day-to-day management tasks depending on the season.
- Volunteer accommodation is in two caravans and a yurt which we erect when needed. The caravans provide basic sleeping accommodation with no toilet or cooking facilities.
- Workers sleeping on site eat and rest in the crew tent, use the compost toilets for their toilet needs, and wash outdoors at the sink provided.

- When not in use, the caravans have not been removed from site but kept in place, in line with the outcome of discussions with DNPA enforcement Team Manager, Mr. Aven.

Events

- Woodlands provide a great wealth of educational opportunities. A key aim at The Hillyfield is to help 'restore a culture of wood' to Dartmoor. This involves practicing and sharing heritage skills such as hedge-laying, and horse-logging.
- A variety of events have been held at The Hillyfield over the years, almost all of them have been directly related to the forestry activities here. The benefits are significant, but the number of such events is low.
- The combined number of days for all events (educational and recreational) has never exceeded 28 days in any one year.
- All the recreational events have given an opportunity to friends, volunteers, and the public to enjoy the special place that The Hillyfield is. They fulfil a great social and therapeutic benefit for all who attend.

Multi-Purpose Forestry Building

- The Multi-Purpose Forestry Building is a key part of establishing the enterprise and will substitute temporary facilities we have relied on so far. It will become a single central structure where our forest workers, most of whom are volunteers, will work, sleep, and eat. It will also provide the working space where we can add value to our timber which supports the sustainable management of the site.
- Placing the multi-purpose forestry barn adjacent to the Hardstanding is ideal as the wood storage and wood processing operations are carried out all year long, and the covered workspace and the welfare facilities are most efficiently sited here, at the centre of our operations.
- In addition, I carried out a community consultation exercise in December 2012 with local community in Harbournford to find out what would be the best location for carrying out the noisier aspects of work at The Hillyfield. A commitment was made to move all noisy activities of processing timber out of the quarry, away from the village and further into the woods. Hence the location of the multi-purpose forestry barn and the hardstanding.

Wood Drying Barn

- The Wood Drying Barn (WDB) is a key part of establishing the woodland enterprise and to allow the transfer from the temporary facilities to permanent ones.
- A timber drying barn is essential to be able to market timber at a profit. Adding value to the timber we grow is not 'preferable' for our operation. It is an essential element to sustain the enterprise and the successful delivery of our management plan.
- We sell Firewood and Milled Timber, coppice products, and charcoal, all of which must be sold clean and dry to find a market.

DNPAs handling of the applications

- The failure to present information supplied with my applications, either to the public on the website or to officers within DNPA, seriously misrepresents my proposals and may have affected the officers' attitudes and the outcomes of the applications.
- The government's advice to Local Authorities on biodiversity benefits and the minimising of delay and burden has not been addressed by DNPA when assessing the planning applications submitted for woodland management, the delays and burdens have been extensive, and the decisions made not only to refuse development designed to enable biodiversity gain, but also remove development which has been essential to achieve this.

- However, much government funding and personal investment has been poured into bringing a woodland back into management, the benefits gained will be quickly lost if the woodland enterprise is not supported by the LPA and management has to stop.

Machinery Barn

- Forestry machinery and equipment is essential to the ongoing management of the land and delivery of the Forestry Commission approved Woodland Management Plan.
- In a low profit enterprise, the large amount of capital invested in the essential machinery and equipment must be protected by looking after the machinery and preventing unnecessary devaluation.
- There are four key reasons that we need a secure machinery store;
 - Protect our equipment from the extremes of weather experienced on Dartmoor
 - Keep machinery safe from theft and tampering
 - Resolve health and safety issues of unsecured machinery
 - Provide a safe working space to maintain machinery on site
- There are many examples of forestry barns for all the purposes we require being approved in other National Parks and AONBs around the country, including within DNP.

Enforcement Notices

- There has been no change of use to the base forestry and agricultural use at The Hillyfield through educational or recreational activities, which have been limited to less than 28 days each year.
- The only occupation of the site has been by volunteers sleeping in caravans and occasionally the yurt, which is ancillary to the forestry use of the site. This has also been discussed with DNPA officers many times without issue. There has been no residential use.
- All of the structures mentioned in Enforcement (1) would be removed from site if each of the barns was granted permission. This would serve to rationalise the site into two clear areas of development with built for purpose structures.
- Enforcement has been served without discussion or exploration of solutions.
- This has brought the enterprise and the woodland restoration it has achieved, to the brink of collapse.

1. Doug King-Smith

- 1.1.1 I, Doug King-Smith am the appellant and the owner of The Hillyfield', formally known as 'Hillyfield and Tom's Brake - Land lying south of Harbourneford'.

1.2. Current roles

At the Hillyfield

- 1.2.1 As owner and manager of The Hillyfield I am responsible for all areas of work directly related with the management, restoration, use, and development of the land.
- 1.2.2 I am director of THMC Ltd, a VAT registered company entrusted to carry out the woodland related activities at The Hillyfield and responsible for the marketing and sale of timber arising from the holding. This is my main business enterprise and full-time occupation.
- 1.2.3 I engage and manage volunteers in helping with the ongoing management activities at The Hillyfield.
- 1.2.4 I am responsible for all marketing, sales, fundraising, networking, health and safety, community engagement and event coordination, as well as running stalls and giving talks (about The Hillyfield and woodlands in general) at various events in other locations.
- 1.2.5 I have been asked to collaborate with the Royal Forestry Society to produce a case study of The Hillyfield with the purpose to inform and inspire other woodland owners about our approach to small woodland restoration.
- 1.2.6 I have conducted tours of our working woodland annually as part of the national 'Open Farm Sunday' event, for Schumacher College, Bicton College and the Local Nature Partnership. In May I will be holding a tour for the Dartmoor Society.
- 1.2.7 I have contributed to research into community managed woodlands for the RFS Axe Woods (see Appendix App6-1) and for shared assets report into Woodland Social Enterprise (see Appendix KD2).
- 1.2.8 I am the only registered licence holder on Dartmoor for the 'Grown In Britain' Kitemark, and hold a licence for the processing and sale of timber felled due to the SPHN.

Other

- 1.2.9 I am Vice-Chair of the Dartmoor Woodland and Forestry Advisory Group. With the personal encouragement from Dartmoor National Park Authority's (DNPA) CEO Kevin Bishop, I helped bring together a group of interested stakeholders including the Forestry Commission, Woodland Trust, Duchy, and several private woodland owners and estate managers to help advise DNPA on matters regarding Forestry across Dartmoor.
- 1.2.10 I became a Champion for the Woodlands Trust's 'Tree Charter' by setting up a local area branch and networking amongst local woodland owners.
- 1.2.11 I am a member of the South Brent Wood Group, The Royal Forestry Society, SmallWoods, The Woodland Trust, The Land Workers Alliance, and The Conservation Volunteers.
- 1.2.12 I set up Dartmoor Small Woods Group, a Facebook group for woodland owners on Dartmoor.

1.3. Past experience of relevance

- I have been employed as a Phytophthora Agent by the Forestry Commission
- I helped organise the South Brent Wood Fair 2017
- I / The Hillyfield won 2nd Prize at Devon County Show for best managed mixed objective woodland in 2014
- I hold a certificate in Permaculture Design
- I have helped manage the grounds of two estates, Ridge Farm, Rusper, Surrey, and Bowden House, Totnes
- I volunteered at The Hillyfield carrying out agreed woodland management tasks for two years before I purchased the site
- I worked on a rainforest protection project in Peru for four months in 2000
- I am published in several forestry research documents and magazine articles

1.4. Prior to Purchase

- 1.4.1 In 2009, prior to purchasing The Hillyfield, I wrote to Dartmoor National Park with a clear proposal for the work I hoped to carry out. I wanted to know what aspects of my business plan would be met with support and whether or not it was sensible to invest so completely in this project. (For Pre-Application details see Appendix App3-3 and App3-1).
- 1.4.2 I was seeking to have an open and positive relationship with DNP and so wanted to be clear on their attitude to what I was proposing. I set out clearly that the woodland holding at The Hillyfield had been neglected for approximately 35 years and that to restore this piece of land would require significant investment in terms of equipment and barns to support the operation.
- 1.4.3 I proposed two phases to development. Primary to the enterprise was the woodland business which I would develop through the sustainable restoration and management of the woodlands. Secondary was a hope to develop an educational enterprise tied to the management of the woods.
- 1.4.4 Dan Janota, the current head of forward planning, then planning officer, consulted with his planning team, Environmental Officer, and the Senior Woodland Officer. All of the advice he was given was that the proposals I put forward for the woodland management and associated business were in keeping with DNPA policy and the ongoing restoration of the woodland. However, he did express some concern about the construction of an educational facility on the land (n.b. this forms no part of the appeal proposals). (See Appendix App3-1 and App3-3)
- 1.4.5 Of particular note in these communications is the internal consultation response by Senior Woodland Officer Rupert Lane to Dan Janota. This letter clearly described the benefits of my proposed woodland approach and business plan, and confirmed that he felt it was worth supporting and would build on money invested in 2006 as part of the DNPA led Restoring Ancient Woodlands Project. (See Appendix App3-2)

‘Small scale processing may well be the answer to secure the long-term future of the woodland by adding value to low grade products on site, and thus placing a value on what currently would be a cost operation. I suspect in the absence of this type of approach the woodland will fall further into decay and some of the benefits gained through the project involvement could be lost very quickly’.

(from internal email R.Lane to Daniel Janota 18th June 2009, See Appendix App3-2)

- 1.4.6 Following this encouragement, and with recognition of the concerns the planning officer had expressed about the development of an education building, I went ahead and purchased The Hillyfield with a vision to make it my life's work to restore the woods into good health.
- 1.4.7 I believe this Preliminary Enquiry is a key to understanding our current planning situation. It demonstrates that when there was a formally qualified forestry expert working within DNPA, with responsibility to work with woodland owners and to further National Park duties and goals, there was a positive and supportive attitude towards small woodland restoration on Dartmoor.
- 1.4.8 Such a forestry advice service is encouraged and supported by National Parks England in their guidance to national parks as part of the services they should provide to best administer their Park, and support forestry enterprise specifically in how to promote best practice for the management of under-managed woodlands. The following extract is taken from the 'Valuing England's National Parks final report by National Parks England' (Issue 4.0 10th May 2013 p.41)

'Farming and forestry businesses produce valuable food and timber and deliver the vast majority of the land management in National Parks, with the support of NPAs and their partners. This land-based activity underpins a significant tourism and recreation economy, provides primary resources for use by other businesses, and supports a wide range of ecosystem services.'

NPAs have a longstanding and close working relationship with farmers and foresters in the National Parks, both as authorities and landowners (in some areas). NPA influences and activities include the following:

Forestry

- Woodland advice service, designed to promote best practice including the management of under-managed woodlands.
 - Woodland schemes and grants, designed to encourage woodland creation, active management and the restoration of ancient woodland. This includes securing locally targeted, nationally funded schemes and providing NPA grants.
 - Woodland product initiatives, designed to support the production, processing and marketing of high quality timber, coppice and other woodland products. This includes supply chain and quality assurance/certification activities.
 - Wood fuel initiatives, designed to support the development of the wood fuel sector in National Parks. This includes business and marketing support, technical advice, and grants for equipment and boilers (see Case Study 3).
 - Habitat network and opportunity mapping to identify potential sites for woodland creation'.
- 1.4.9 It goes on to say specifically for 'Farming and Forestry' that National Park Authorities can help support
- 'Branding and marketing initiatives, designed to raise awareness of and grow the market for high quality local produce from farming and forestry in the National Parks.
 - Training and skills development, designed to promote both traditional and modern skills in farming and forestry. This includes short courses, training programmes and apprenticeships. This also provides young people with the opportunity to enter the sector.'
- 1.4.10 Under the title 'Supporting the wood fuel sector in England's National Parks' it says:

'NPAs are encouraging the development of small scale wood fuel sector for both environmental and economic benefits. Publicly and privately managed woodlands offer huge potential for the production of wood fuel for heat generation. The industry generates additional income, creates and sustains jobs, brings unmanaged and under managed woodlands and plantations into more

efficient use, and significantly reduces carbon emissions from heating (compared to fossil fuel systems).'

(See Appendix KD4 p.41 Valuing England's National Parks).

1.5. Subsequent changes at DNPA

- 1.5.1 In March 2012 DNPA ceased their forestry advice service entirely, they have subsequently had no forestry experts on their staff, and as far as I understand their current woodland holding is being managed through 'non-intervention', a practise not widely supported by experts in forestry.
- 1.5.2 DNPA's CEO Kevin Bishop stated in November 2015:

'we do not have a dedicated woodland officer. This is dictated by funding constraints and I do not envisage us being able to alter this situation for the foreseeable future. Input from a woodland group in terms of ideas and issues would be welcome'.

(see Appendix App3-4)

- 1.5.3 This compromised position within DNPA, and the request to establish a woodland working group of interested stakeholders on Dartmoor prompted me (with encouragement from Kevin Bishop) to help set up the 'Dartmoor Woodland and Forestry Advisory Group', of which I am now vice-chair. This group is recognised as being a partner in helping deliver DNPA's 'Your Dartmoor Action Plan 2016'.

1.6. Other National Parks

- 1.6.1 In contrast, Exmoor National Park has not one but two Forestry Officers, has pioneered an Exmoor National Park unique 'Grown on Exmoor' brand of the 'Grown in Britain' Kitemark for woodland products, and has recently published an article in the CONFOR Forestry & Timber News magazine expressing the need for active woodland management and a commitment to 'generate and strengthen income streams from timber sales'. (Appendix App6-3 Confor Article February 2018)
- 1.6.2 The New Forest National Park have received Heritage Lottery Funding as part of a £4.4million scheme, to deliver a comprehensive project that focuses on:

'delivering advice, management plans and ecological enhancements to small privately owned woodland habitats within and around the New Forest National Park by working with landowners, volunteers and contractors'.
- 1.6.3 They have recently employed a dedicated project officer who:

'will improve the quality of woodlands for wildlife, people and the local economy through assisting owners in best practice woodland management and identifying the potential for woodfuel / timber production'.

(See Appendix App9-1 for the Job Description of the Woodland Project Officer, and Appendix App9-2 for a detailed description of the reasons behind, benefits and approaches of this project)
- 1.6.4 In the Lake District National Park, Rusland Horizons is an integrated scheme operating from the National Park Office. It runs multiple projects directed to support and encourage woodland managers to restore neglected woodland and create a more sustainable, ecologically and visually diverse landscape. (See Appendices App9-3, App9-4 & App9-5 Rusland Horizons)

- 1.6.5 With regard to development affecting woodlands, planning officers throughout England are encouraged to enlist forestry advice and guidance when making decisions which affect, or are close to ancient woodland sites. The UK Forestry Standard for Planners states that the Forestry Commission is a non-statutory consultee on development affecting or within 500m of ancient woodland. However, since March 2012 and the dissolution of the woodland officer role, no professional forestry guidance has at any time been sought by DNPA in reaching a determination on Planning Applications and Prior Notifications at The Hillyfield. In fact, the Forestry Commission advice provided with our applications was disregarded. (See Appendix App11-1 UK Forestry Standard for Planners, also Appendix App6-4 for the most recent email of support from the Forestry Commission, and Appendix App6-5 for the email from Mark Prior submitted with our planning applications)
- 1.6.6 My experience with the Dartmoor National Park Planning Authority since March 2012, despite my attempts to seek a positive relationship, has been one of continued and unjustified obstruction, confusing advice, lack of support, poor communication and, subsequently, enforcement action. All of this ultimately risks destroying this woodland restoration enterprise, despite my preliminary enquiry and all the capital I, and the public purse, have invested in the project. Such projects are welcomed and supported elsewhere in the country, and particularly within National Parks, and are supported by National and Local Policy guidance.

2. The Hillyfield Woodland Farm on Dartmoor

2.1. Physical characteristics

- 2.1.1 The Hillyfield is an 18ha mixed agriculture and forestry holding, about 50% of which is woodland.
- 2.1.2 The Hillyfield is located in the valley of the River Harbourne, due south of the hamlet of Harbournford, and just north of Marley Farm and White Oxen Manor. The site is on the southern periphery of Dartmoor National Park, whose boundary runs east to west at this point and is marked by the A38 Expressway which is due south of the holding at a distance of approximately 200m.
- 2.1.3 The holding is also designated as part of a 'Severely Disadvantaged Area' on the 'Less Favoured Areas' Map of England used by Rural Payments Agency and others.
- 2.1.4 The Hillyfield forms a discreet valley hidden from view of any neighbouring properties, with no footpaths or rights of way across the land. However, neighbours and individuals are encouraged to visit the woods on invitation from the owners, and the public are invited to take part during volunteer days, and occasional events and open days.
- 2.1.5 The holding comprises of the valley bottom land and steep slopes on either side of the River Harbourne, comprising of both woodland and pasture, hidden from view of any neighbouring properties, with no footpaths or rights of way across the land.
- 2.1.6 The 11.82ha woodland element of the holding runs along these steep sided slopes with rock features and significant climbs from 70m to 128m above sea level.
- 2.1.7 On the east facing slope lies Hillyfield Plantation (4.26ha) which is registered as Ancient Semi Natural Woodland (ASNW) with a significant area designated as a Plantation on Ancient Woodland Site (PAWS) (2.68ha). The PAWS was felled and replanted with native coppice in 2013 by the current owner following a Statutory Plant Health Notice (SPHN) by the Forestry Commission requiring the felling of Larch (SPHN #11/00404/01).
- 2.1.8 On the opposite valley slope is Tom's Brake (3.46ha), a semi-natural woodland including mixed plantation and mixed broadleaf, currently being cleared of Larch and replanted due to a 2nd Forestry Commission SPHN #13/00732/04.
- 2.1.9 The narrow river valley bottom contains an ecologically rich wet-woodland of alder and willow (1.74ha) with additional new planting of 125 willow stools (0.07ha) for a short rotation coppice crop already yielding income and reducing flooding and erosion. The narrow valley leads downstream to the widening valley bottom with its open pastures. These rise up steeply on the eastern side, over two fields, to the valley top. Within the valley pasture area and adjacent to the river are two lakes.
- 2.1.10 The southern edge of the holding has been newly planted with 2.08ha of mixed broadleaf woodland creating what is, despite the audible presence of the nearby A38, an attractive clearing in a wooded valley with no overlooking roads or developments.
- 2.1.11 The Forestry Commission approved Woodland Management Plan for The Hillyfield contains further details of the holding (See Appendix KD3 FC Woodland Management Plan).

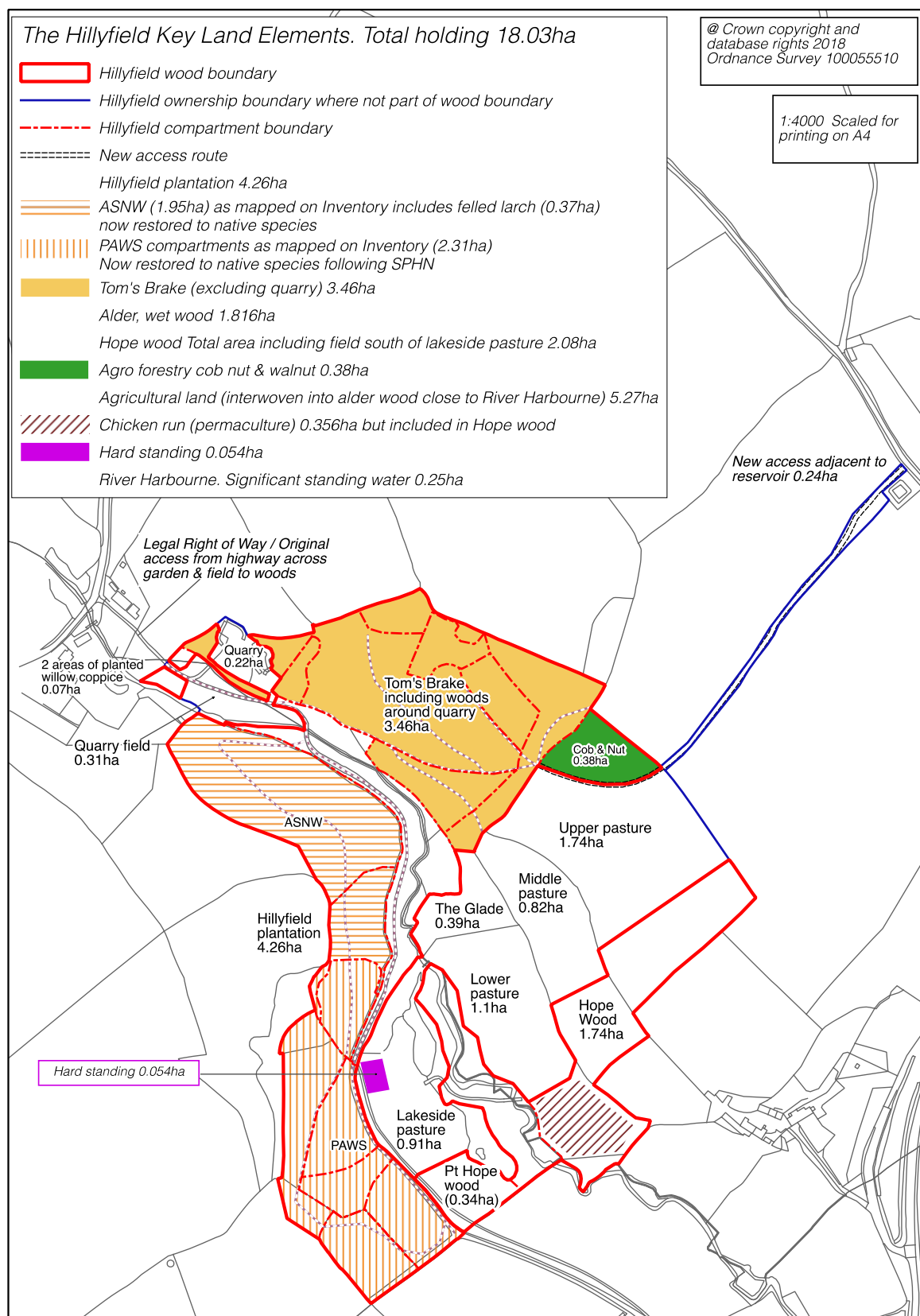


Figure 1 - Hillyfield Key Land Elements

2.2. Landscape

- 2.2.1 The Hillyfield is located in an area of small mixed farming units and occasional hamlets where the rolling green hills of the moorland margins are punctuated by steep sided narrow valleys with fast running streams and rivers flowing off of the high Dartmoor uplands of the National Park. Woodlands are found mainly on the steep land in these valleys, as they are at The Hillyfield. Buildings for the purposes of agriculture and forestry are often clustered together in sheltered locations although isolated buildings are also frequently seen in this landscape. (See Appendix App12-1 for examples of Local Agricultural Development)
- 2.2.2 The Hillyfield is typical of the area and forms an intrinsic part of its landscape character, sadly one that is endangered by the loss of woodlands due to chronic neglect.
- 2.2.3 The Hillyfield is an interesting valley with many different ecological and landscape features. The river winds through the valley bottom, past significant rocky outcrops in the woodland area, and then through the open valley bottom, flanked by woodland, pasture and lakes. It tells a tale from ancient to modern with old field-boundaries and enclosures, with evidence of the working of woodlands and fields over the centuries.
- 2.2.4 See Landscape Proof of Evidence by L. Cole for fuller details of this aspect of the Appeal.

2.3. The Woods

- 2.3.1 Due to the 35 years of neglect in the woods, compounded by the discovery of *Phytophthora Ramorum*¹ in 2011, the management of the woods has taken the vast majority of my attention and time since purchase, forcing the majority of the agricultural land to be rented out to a neighbouring farmer to help manage the grazing.
- 2.3.2 Historic neglect of the woodlands had resulted in overcrowded, skinny trees with small canopies. The understory of coppice regrowth and natural regeneration was suffering from lack of light and in some places dying from neglect. Hedgerows, once tended, had become overgrown rows of trees, and many areas had become impenetrable due to the overgrowth of Cherry Laurel previously planted to support the shooting of pheasants.
- 2.3.3 In 2006/2007, under the previous ownership of Mr Hailes, The Hillyfield was targeted by a Dartmoor National Park funded project called 'RAW' (Restoring Ancient Woodlands), run in partnership with the Forestry Commission with the aim to bring the Ancient Woodlands of Dartmoor back from neglect and into active management. This involved funding the creation of a Forestry Commission approved management plan and archaeological report, funding for the stem injection of invasive Cherry Laurel, and a schedule of work to begin restoring the broadleaf elements of Hillyfield Plantation.
- 2.3.4 Control of invasive species including Cherry Laurel, Japanese Knotweed and Bamboo has been ongoing since I took control of the land. Alongside the forced felling of large areas of Japanese Larch due to disease, the subsequent replanting of trees and management of bramble and bracken regrowth has meant the management of the woods has been an uphill struggle.
- 2.3.5 These challenges have been compounded by the planning difficulties caused by the obstructive approach taken by officers of Dartmoor National Park, an approach which seems to be contrary to their stated policies and duties as well as national policies and guidance.

1 *Phytophthora ramorum* (P. ramorum) is a fungus-like pathogen called a water mould. It causes extensive damage and death to a wide range of trees and other plants. The Forestry Commission serves Statutory Plant Health Notices (SPHNs) on the owners of affected woodland in Great Britain requiring their infected and nearby trees to be felled.

To minimise the risk of spreading the disease by commercial forestry and timber operations, any movement in Great Britain of *Phytophthora*-affected wood from a forest site, or any subsequent movement of the affected material from a mill or processing site, requires a Forestry Commission movement licence.

2.4. Ecology

- 2.4.1 There is rich and varied ecology at The Hillyfield with a great diversity of ecological niches and microclimatic zones.
- 2.4.2 Ancient woodland is itself an irreplaceable resource, important for its wildlife, soils, recreation, cultural value, history and contribution to the landscape.
- 2.4.3 In a plant survey carried out in 2012 there were over 160 different species of plant life identified, including 102 wild flower types, 20 varieties of tree, shrub and woody climber, 32 species of grasses, sedge and rush, and eight species of fern (See Appendix App8-1).
- 2.4.4 An Ecology Report was prepared for our woodland by Stephen Lees of Land&Heritage and is attached to the proof of our landscape expert Lyndis Cole. The report analysed a range of attributes affecting the ecology of a woodland and in conclusion stated:
‘Overall, we commend the current management of the wood which is achieving ecological enhancements and a high standard of management, despite difficult site conditions and the enforced major felling of diseased larch’.
- 2.4.5 The report stated that following the enforced felling of larch due to the disease *Phytophthora Ramorum*, had the chosen system of sequential felling, with on-site processing not been followed, there would have been more harmful effects for the ecology of the woodland.
- 2.4.6 The report specifically stated that the option to fell all the diseased timber and leave it lying on the hillside (something which had been put forward by the Dartmoor National Park Tree and Landscape Officer during a site visit and again at a subsequent meeting) was considered to be more harmful than our chosen management approach.
- 2.4.7 We have regular visiting deer, mostly roe, as well as badger, fox, ferret, and stoat. We have also found less common animals like pole cat and otter visiting the valley. We have taken part in the South Brent Birders survey and observed, among others, kingfisher, pied-flycatcher, and a variety of birds of prey. There are plentiful toads near the lakes.

2.5. Woodland components

- 2.5.1 About 50% of The Hillyfield is woodland (11.81ha), comprising 4 distinct woodland areas each at different stages of management:
- 9.73ha of mixed woodland (Hillyfield Plantation, Tom’s Brake and the wet woodland areas) are being brought back into active management from neglect
 - 2.08ha of newly planted mixed-broadleaf woodland (Hope Wood) on the southern boundary is growing well.

Hillyfield Plantation

- 2.5.2 Designated as Ancient Semi Natural Woodland (ASNW), Hillyfield Plantation (4.26ha) has been continually wooded for as long as maps have been drawn (i.e. since at least 1600). This demonstrates a history of woodland management for at least 400 years.
- 2.5.3 Following the forestry practices of the time, the established mixed broadleaf woodland of primarily oak and chestnut was felled sometime in the mid 1970’s to create Hillyfield Plantation, a Plantation on Ancient Woodland Site (PAWS), of japanese larch and douglas fir. Further planting also occurred in Tom’s Brake.
- 2.5.4 After initial management of this planting The Hillyfield fell into neglect. Little thinning took place throughout the woodland holding for the following 30 to 35 years.
- 2.5.5 The PAWS element of Hillyfield Plantation (2.68ha) was felled by me due to a Statutory Plant Health Notice (SPHN) and I have voluntarily replanted with mixed native broadleaf and coppice including oak, ash, cherry, silver birch, hazel, hornbeam and small-leaved lime, as well as douglas fir and scott’s pine. The felling and new planting has transformed a predominantly larch PAWS

into a rich mix of douglas fir, oak stands and mixed native broadleaf, with a variety of native coppice areas. This is in line with the approved Woodland Management Plan but accelerated due to the SPHN. SPHNs do not require replanting, unlike felling licences. The resulting loss of woodland as a result is not fully appreciated.

- 2.5.6 Hillyfield Plantation also includes an area (1.58ha) of established mixed broadleaf woodland. This is a large area and is of higher biodiversity than the plantation area and contains ground flora indicative of its ancient woodland status. It is also in need of thinning to maintain and enhance its ecological value.

Tom's Brake

- 2.5.7 Tom's Brake is a Semi-Natural Woodland (3.46ha) including established broadleaf woodland at its southern edge together with several stands of douglas fir. There are also areas here where japanese larch have been felled due to SPHN. Tom's Brake is now being managed to encourage natural regeneration (including oak, ash, beech, maple, sweet chestnut, hazel, holly and sycamore). An area of larch is yet to be felled following treatment to kill the standing trees. This will be replanted with a mix of experimental softwoods including cedar, fir, and pine.

Wet Woodland

- 2.5.8 Wet woodland runs along the bottom of the wooded valley (1.81ha) as well as along the river banks. This includes willow, alder coppice, elder, ash, and oak.

Hope Wood

- 2.5.9 Hope Wood (2.08ha) stretches the length of the southern boundary of the holding. It was planted in 2010 with the help of volunteers and the Dartmoor charity Moor Trees. It comprises a rich mix of native broadleaf varieties including oak, ash, maple, cherry, silver birch, hazel, blackthorn, hawthorn, crab apple and other understory and shrub varieties.
- 2.5.10 A small area (0.38ha) of pasture has been given over to explore agroforestry², at present growing 24 nut trees (cob hazel and walnut) with some grazing.

2.6. Other features

Pasture at The Hillyfield / Agriculture & Grazing

- 2.6.1 The Pasture element includes 5.27ha of pasture actively managed under organic stewardship and rented out to Russell Ashford, a neighbouring farmer who uses the grazing for organic sheep and cattle.
- 2.6.2 The pasture area includes undermanaged hedgerows, two lakes, and a stretch of the river Harbourne. There is work to be carried out to coppice and improve hedgerows, and maintain stock-proofing and rides.
- 2.6.3 In the pasture area there is a newly planted orchard, an area for growing herbs and berries, willow osier and hedgerows managed for environmental benefit.
- 2.6.4 We breed pasture-reared, free-range traditional and rare-breed chickens and ducks for sale and egg production (The 'Hillyfield Hens').
- 2.6.5 We plan to develop our agricultural business with a dairy herd of goats producing kefir from the goat milk.

² Agroforestry is the combination of agriculture (either growing or pasture) with the planting of trees. It can increase productivity and provide multiple benefits.

3. Access

- 3.1.1 Access issues in the early years caused significant problems in our relationship with our closest neighbours, who made multiple complaints to DNPA, objecting on principle to all activities at The Hillyfield. (See Appendix App7-2 for details on how neighbour relations have affected planning at The Hillyfield)
- 3.1.2 The implementation of a new access has resolved all access difficulties to the site and taken all vehicle movements away from the village.
- 3.1.3 Despite the suitability of the old access for a small-scale woodland enterprise, and the recently approved new access, access limitations were used as an erroneous reason for refusing permission for our wood-drying barn and machinery store in 2015. (See Appendix App2-1 for the officer's report on application 0259/15)

Description of Access

- 3.1.4 The original legal right of access to the land is on the northern boundary of the holding, connecting Hillyfield with the hamlet of Harbournford. It provides The Hillyfield with a right of way "at all times and for all purposes connected with the ownership, occupation and users of the said adjoining lands". It is a narrow access through a gateway measuring only 8'4" and crossing the driveway of Harbournford Lodge.
- 3.1.5 Since implementing the new access, we have agreed to limit our use of this original access to pedestrian and emergency vehicle access to the site only.
- 3.1.6 In March 2016, I completed the new access track to the east of the holding. This main access point lies on the eastern boundary at the top of the holding and gives easy access (250m) to the A38 Expressway (Rattery Junction) connecting to Plymouth and Exeter.
- 3.1.7 This was granted full planning permission by Dartmoor National Park Authority in 2013 (0503/13) and benefitted from funding support from English Woodland Grant Scheme).
- 3.1.8 The new stone access track is flanked by a new bank and hedgerow of mixed broadleaf trees planted with the support of The Conservation Volunteers 'Free Trees for All' and planted with the help of volunteers from the local community. In the future this will give the impression of a traditional green lane crossing the hill.
- 3.1.9 Adjacent to the new access point is a timber stacking bay (next to the neighbouring water-holding tank owned by South-West Water). This provides adequate space for lorries to load and remove timber sold from the holding.

4. The Hillyfield Management Approach

4.1. Behind our management approach

- 4.1.1 The Hillyfield is a mixed agricultural and forestry holding with an active forestry enterprise and an embryonic agricultural enterprise.
- 4.1.2 Our management approach is committed to sound ecological practices and aims to engage the public in various aspects of its work through offering multiple ways for people of all ages to get involved.
- 4.1.3 The big picture plan at The Hillyfield is a reflection of my appreciation of land and community, and the belief that we need to make direct changes in our lives to respond effectively to pressing issues which affect everyone. Specifically, I refer to climate change, growing environmental insecurity, and challenges to health and wellbeing across all areas of society.
- 4.1.4 The Hillyfield offers an opportunity for people to get to know nature and get to know themselves. It is a place to engage hands-on in the hard work of land-management. It is somewhere where people can build up a deep relationship with the natural world. It is a place where people can enjoy the beauty and special qualities of Dartmoor. And it is a place where people can develop, share and learn skills, some of which are close to being forgotten, all contribute to supporting and enhancing the biodiversity and enjoying the special qualities of this woodland valley.
- 4.1.5 This Vision of The Hillyfield has been detailed in various statements and other documents, all of which have been shared with Dartmoor National Park. The following documents clarify in depth our long-term vision and commitment to the project. See Appendices: App3-3 for details on the Preliminary Enquiry made in 2009, Appendix App3-5 for the vision shared in our first Dartmoor Sustainable Development Fund (DSDF) application in 2010, Appendix App3-6 for the vision shared in our second DSDF application, Appendix KD3 for the Forestry Commission approved Woodland Management Plan, and Appendix App3-7 for the vision statement submitted to DNPA director and planners in 2015 (immediately prior to issuing enforcement proceedings detailed in App3-20), and Appendix App3-8 the final vision statement submitted at the case review for these appeals in April 2017.
- 4.1.6 'Integrated management of the natural environment, showcasing the benefits that designated landscapes can bring' is a key ambition in the 8 Point Plan for England's National Parks. This document also recognises National Parks as 'drivers of the rural economy' and that National Parks should 'promote and enable volunteering' (See Appendix KD5 8 Point Plan for England's National Parks p.9, p.10, p.17)

4.2. Summary of the management approach

- 4.2.1 The Hillyfield had been a part of a larger agricultural holding in the past but was split from the main farm as it was less productive land. Before I took on ownership, a number of previous owners sought to use it for shooting and fishing, leaving the pasture and woodlands unmanaged.
- 4.2.2 The lower potential productivity of the land, which caused it to be sold off, also mitigates against it being brought back to use as a viable enterprise using modern farming and forestry methods. For these reasons, a combination of traditional and modern progressive techniques are being employed with a more labour intensive approach in order to make the holding viable.
- 4.2.3 This type of approach is central to discussions taking place in Parliament regarding Forestry and how to support the return of these neglected areas into active management, and is being supported by projects on other National Parks (See Appendix KD1 Seeing the wood from the trees DEFRA committee report, Appendices App 9-2 (New Forest NPA), App9-7 (Exmoor NPA), App9-3, App9-4 and App9-5 (all for Lake District NPA -Rusland horizon))

- 4.2.4 Our woodland management is guided by our Forestry Commission approved Woodland Management Plan which helps deliver the targets set in the Dartmoor Habitat Action Plan for Woodland and also accord to the Dartmoor Woodland Strategy. (See Appendix App12-2 Dartmoor HAP, and KD11 Woodland Strategy)
- 4.2.5 The Hillyfield is managed to provide ecological, economic and wider community benefits, inter alia it also provides landscape benefits.
- 4.2.6 Our woodland management aims to support and enhance biodiversity whilst developing a viable woodland enterprise that stimulates and rekindles a 'Culture of Wood' on Dartmoor.
- 4.2.7 The Hillyfield won 2nd Prize at Devon County Show in 2014 for 'best managed mixed objective woodland in Devon'. The 1st Prize went to the National Trust. 'Mixed objective woodland' means one that has objectives besides just making money for its owner through the felling and sale of timber. This is fundamental to the aims and objectives of National Parks who rely on landowners to provide access, maintenance and enhancement of biodiversity and landscape. (See Appendix9 for other examples of small woodlands being managed this way including Alvecote Woods in Appendix App9-8, and the report by Chris Marrow FICF addressing woodland management at the Hillyfield in the context of this Inquiry see Appendix App6-6)
- 4.2.8 Our agricultural management aims to provide food and income for the owner whilst seeking to follow permaculture principles.
- 4.2.9 Simon Lloyd, Chief Executive of The Royal Forestry Society (RFS), the oldest and largest education charity dedicated to promoting the wise management of woods and trees across England, Wales and Northern Ireland, says;

'Hillyfield should be held up as a first class case study for other owners and managers of small scale woodland as to how to restore neglected woodland responsibly and sustainably, balance ecological and financial objectives and support the local community and economy. The RFS hopes that the Inquiry examines the wider context of forestry policy and practice in England and supports the continued management of Hillyfield as a working woodland'.

(See Appendix App6-7)

- 4.2.10 Subsequent to this, the RFS have asked that I help them produce a case study of our forest management approach at The Hillyfield as part of their series on exemplars in small woodland restoration to be published in the Quarterly Journal of Forestry (QJF).

4.3. Management Approach - Forestry

- 4.3.1 Partly designated as Ancient Woodland – the woodland element of The Hillyfield has been continuously forested for at least 450 years. Centuries of management of the woods can be seen in the trees themselves as well as in the landscape. Some coppiced stools are several hundred years old, and the archaeological remains of charcoal pits and old horse-tracks are scattered throughout the wooded valley. Even more ancient is a possible tanning pit that would have made use of the bark from the oak trees, once growing abundant across Dartmoor.
- 4.3.2 We now manage the woods at The Hillyfield according to a Forestry Commission approved Management Plan that has the full support of the Forestry Commission and was written up with the help of Rupert Lane Woodlands.
- 4.3.3 A Forestry Commission approved Management Plan works to the standards set in the UK Forestry Standard (UKFS) and ensures the sustainable management of the woodland. It is a

prerequisite for receiving any grant funding and demonstrates a commitment by the landowner to the long-term sustainable care of the land. As well as the planting plans and schedule of works, our management plan sets out in detail the long-term vision of The Hillyfield. (See Appendix KD6 UKFS, and Appendix KD3 for our FC approved Management Plan)

- 4.3.4 Mr Lane, director of Rupert Lane Woodlands, is a highly experienced forester on Dartmoor and member of the Institute of Chartered Foresters. For 29 years Mr Lane served as the Senior Woodland Officer for Dartmoor National Park and now runs his own woodland management and consultancy business. He has been advising on woodland management at The Hillyfield since prior to me taking on ownership, and has been commissioned to produce a report on timber yield and product value for this Appeal. (See Appendices App7-2 and App7-3).
- 4.3.5 Dartmoor National Park Authority no longer has a forestry advice service, or any qualified foresters in their team. At the time of my Freedom of Information request in May 2016, it was clarified that the Tree and Landscape Officer (TALO), who now, since the dissolution of the forestry team, is the internal consultee on all forestry related matters at Dartmoor National Park, held no forestry qualifications. A qualified forester (Mr C. Dutton) did not get involved until October 2016 after the Appeals had been lodged. (See Appendix App3-9 for the results of this FoI request May 2016)
- 4.3.6 Given the diversity of woodland types at The Hillyfield and the severity of the impact of the disease *Phytophthora Ramorum* identified in 2011, there are a number of management approaches being carried out. These include:
- areas of newly planted or replanted woodland for coppice, firewood and timber production
 - areas for ecological benefits
 - established areas of woodland which require thinning and restructuring (especially given the expected impact of *Chalara Fraxinea* on our native Ash trees)
 - areas dedicated to growing softwood for timber production.
- 4.3.7 In terms of the practical forestry management at The Hillyfield, our ‘modern progressive’ approach embraces the multiple benefits which come from balancing a more traditional, low-impact and small-scale approach to the management of woodland with Continuous Cover Forestry³, aspects of community engagement, and the adding of value where possible to the timber that we grow on site.
- 4.3.8 This active management approach to forestry is more labour intensive, and less dependent on the fossil fuel-use of heavy machinery.
- 4.3.9 Traditional small-woodland management is a year-round activity and follows the broad pattern of tree-felling activities throughout the winter months, and adding of value (such as cutting firewood or making charcoal) through the summer months. Additional to this are the significant tasks of managing invasive species which threaten the success of regeneration of young trees planted, and other tasks to support the best management of the land as a whole.
- 4.3.10 Due to the steep slopes, the large areas of woodland replanted following disease require extra management to ensure that bramble and bracken regrowth does not smother and damage the young trees. This is carried out by hand, rather than by administering poisons. Future coppice harvesting, and the protection and management of subsequent regrowth of coppice stools will also need similar levels of intervention.
- 4.3.11 The rides throughout the woodland holding require to be cut twice each year, and the edges of rides are cut back on a cyclical basis to encourage light, and support biodiversity.

3 Continuous Cover Forestry is a system of silviculture which maintains the canopy of the woodland by selective felling rather than the alternative of clearfelling all trees in the area. It is designed to manage the forest ecosystem and not just the trees

- 4.3.12 The control of pests is also labour intensive and involves several months of baiting and checking squirrel traps, as well as dressing the squirrels to freeze for future use in catering.
- 4.3.13 There is also regular work in supporting the development of the herb garden and the apple orchard by cutting back grass, weeding, and composting the young trees.
- 4.3.14 For a full list of the kinds of seasonal activities undertaken at Hillyfield please see Appendix App7-4.
- 4.3.15 This approach does not eschew the use of machinery where appropriate, and I have invested in essential tools for the work required to establish a successful woodland enterprise.
- 4.3.16 To this end we have been awarded grant funding from DEFRA through the RDPE Forestry and Farming Improvement Scheme (FFIS) to help us purchase a firewood processor, timber grab, and logging arch. All of these have helped improve our timber handling and processing ability.
- 4.3.17 I have also personally invested in improving my timber handling and processing ability by purchasing machinery including a Land Rover (with tipping body for firewood deliveries and to deliver timber to clients), a quad-bike, tractor and timber forwarder (which I use to move round-wood around the site), and a digger with custom fitted timber-handling rotatory grab for moving of timber lengths. I have also upgraded my mobile sawmill (from a Logosol chainsaw-mill to a Woodmizer LT15 band-saw) making our milling capacity on site much more efficient and allowing us to be competitive in our pricing.
- 4.3.18 Currently all of this machinery, worth over £35,000, is left vulnerable and out in the elements given that I do not have a machinery barn to store it in.

4.4. Management Approach - Use of volunteers

‘Ensuring the financial viability of the process by employing volunteer labour is a widespread practice’

Simon Lloyd, Royal Forestry Society (See Appendix App6-7 RFS letter of support)

- 4.4.1 One reason behind purchasing The Hillyfield is to offer the local community and wider public opportunities to develop a hands-on relationship with the land.
- 4.4.2 Increasing volunteer engagement is a key ambition for National Parks as per the 8-Point Plan for England’s National Parks (2016). This advice has been embraced by New Forest National Park in their approach to woodland management through their ‘Working Woodlands’ project (which aims to engage volunteers in restoring privately owned woodlands in the New Forest National Park), and in the Lake District National Park with the Rusland Horizons project. (See Appendix App9-2 for a description of the Woodland Project in the New Forest NPA, and App9-3, App9-4, and App9-5 for details of Rusland Horizons in Lake District NPA)
- 4.4.3 In June of 2010 I was awarded funding from the Dartmoor Sustainable Development Fund to ‘fund the basic infrastructure needed to facilitate monthly weekend gathering of volunteers to participate in all aspects of woodland management at The Hillyfield’. This was judged according to the National Park Purposes, as well as Environmental, Social and Economic criteria. (See Appendix App3-5)
- 4.4.4 Our success and experiences with engaging volunteers informed discussions at the Prosper Workshop held by DNPA in May 2013, questioning how to engage community support to help support land management on Dartmoor. Dartmoor National Park offer a monthly volunteer weekend similar to what we offer at The Hillyfield. (See Appendix App9-9 advertising Dartmoor National Park Volunteer Days)

4.4.5 We currently offer a variety of opportunities for people to participate in the practical management of the land at The Hillyfield. We try to be as inclusive as possible, open to participation from families and those who might not consider that they have the ability necessary to 'work' the land, and also from those who are seasoned workers in countryside management and forestry. (For an insight into the experience of volunteers please read Appendices App10-1a, App10-1b, and App10-1c, and also letters submitted for the appeal from volunteers in Appendix App10-2)

4.4.6 Volunteers take part in a number of ways:

- Volunteer Days or Weekends (once per month)
- Local Volunteer Placements (for locals wanting to help regularly in the woods)
- National & International Volunteer Placements (often through WWOOF or Workaway, two popular websites supporting volunteers to connect with host projects in exchange for accommodation and food). These volunteers, who stay on site, engage in short to medium term placements for seasonal forestry workers
- Work Experience (furthering professional development for college students). Between 2013 and 2015 Forestry and Countryside students from Bicton College came on four separate day visits to gain hands-on experience in all aspects of woodland management as part of their coursework. (One of these students became a Local Volunteer Placement, spending two days a week over six months as part of our felling team (See Appendix App10-3a and 10-3b for letters from Mr. Mackarel, lecturer at Bicton College detailing the benefits of these visits).

(see Appendix App7-5 for more detail on volunteer opportunities at The Hillyfield)

4.4.7 This provides The Hillyfield with the labour it requires to progress with its tasks whilst providing benefits in kind to the volunteers, such as learning from the work, improved skills, fitness, appreciation of the landscape and natural environment, self-worth, friendships etc. This is the same approach adopted by the Wildlife Trusts around the UK on their Nature Reserves, and by the National Trust and others (including Dartmoor National Park Authority), with their volunteer work parties. (See Appendix App9-9 for details of volunteer opportunities organised by DNPA)

4.4.8 Carolyn Leddingham writes of her experience at The Hillyfield:

I volunteered at the Hillyfield on three occasions in 2015 and 2016, amounting to a total of 9 weeks. Over half of this was during winter months. During this time I carried out seasonal forestry work on the land, including felling, extraction, planting, firewood processing and sawmilling. Through this I became familiar with the woodland and with Doug's management approach.

I volunteered at Hillyfield in order to gain experience and practical skills in small scale, sustainable woodland management. I had previously worked as an environmental consultant and was interested in learning about sustainable woodland management with a view to changing my career trajectory towards this. I was also interested in purchasing my own small woodland at some point. In the last three years I have volunteered in a number of other small woodlands and now undertake paid woodland management work. I am also now the owner of a 20ha woodland in Inverness-shire, which I intend to manage using low impact techniques, similar to those used at Hillyfield. I therefore feel I have a good understanding of the practicalities of the woodland management approach at Hillyfield and of small-scale woodland management in general.

(See Appendix App10-1a Volunteer Letters)

4.4.9 Volunteers have contributed an enormous number of hours work during our ownership. In just four years (between 2014 and 2017) seasonal forest workers contributed at least 12,664 hours, or £94,980 of support in-kind (if calculated at minimum wage). (see Appendix App7-6 for a spreadsheet detailing all seasonal forest workers activity 2014 to 2017).

- 4.4.10 The significant support from local volunteers (not staying on site) has not been calculated anywhere in this Proof but amounts to a considerable additional contribution.
- 4.4.11 Twice a year The Hillyfield offers an open day, inviting the wider community to enjoy the special qualities of the woods and engage in woodland skills and learning.
- 4.4.12 The importance that volunteers can play in delivering the aims of Dartmoor National Park and supporting essential heritage and landscape benefits are recognised in the development of a planned project called 'Helping Hands for Heritage', part of the 'Moor than Meets the Eye' (MTMTE) Heritage Lottery funded project run by DNPA.

'We recognise that money is a crucial ingredient for the long-term sustainability of the landscape hence our theme of seeking to link landscape and livelihood.' ... 'By telling the story of the landscape we hope to persuade people to stay longer, do more and spend more thus ensuring that there is real link between the landscape people enjoy and the livelihoods of those who live there. Developing a passion for the place will also assist with recruiting volunteers (both locally and for the proposed Helping Hands Holidays – the latter is a good example of an initiative which could have multiple benefits – practical conservation, an enjoyable holiday and a new business opportunity). We also want to look at the development of new products from the area that will help sustain the heritage in the longer term'

Taken from the MTMTE website See Appendix App12-4 page 3 of section 6 'Sustainability'.

- 4.4.13 Dave Wood, a forester in mid-Devon who owns and manages 24 acres of PAWS under Continuous Cover Forestry also with the help of volunteers visited The Hillyfield and wrote a report with regard to his experiences working with volunteers. He addresses the importance of the hosts legal duty of care, and also the underlying principles of fair-exchange embodied in the WWOOF organisation (World Wide Opportunities on Organic Farms). Here are a few snippets:

'Volunteer input has the dual benefit of work achieved as well as providing valuable experience to volunteers'...

'In order to get "free" labour you have to offer the potential volunteers a highly beneficial experience'...

'Not only will there have to be some benefit, but the volunteers must also feel a sense of engagement for the relationship to flourish'...

Health benefits from outdoor work (and this includes mental health) as well as ecological progress are easy to understand. Fairness and care are more subjective but are vital to a successful host/volunteer relationship. Fairness means the host gives as much as the volunteer, it's just that the exchange is of different things. The host also has a duty of care over their volunteers, and this means providing at least basic welfare facilities. Somewhere to wash hands before eating, somewhere to go to the loo, or somewhere to take shelter in inclement weather. It is the considered legal position that a volunteer is at "work" and therefore is an "employee" for Health and Safety at Work regulations and insurance purposes. The duty of care is again evident within these criteria.

Therefore it is important to consider the ethics of any business entity when deciding on the need for particular infrastructure. It is also important to understand the effect this infrastructure will have on the overall well being of the project and its participants. From my experience, good well fair facilities including friendly communal areas for cohesiveness and discussion are vital. Not only for legal responsibilities but to build a sense of common purpose and motivation.

(See Appendix App6-12)

- 4.4.14 With increased financial viability there will be scope for new job creation in forestry work at the Hillyfield. However, volunteers will always have an important place as a part of this management

approach as the multiple benefits for all parties continue to be valued, but also because the margins in this form of forestry management are always going to be tight and require volunteer labour to make it work.

4.5. Management Approach – Ecology

4.5.1 Management for ecological benefit informs all of our activity at The Hillyfield. Woodland restoration in particular can provide significant ecological benefits.

4.5.2 Since 2010 we have improved the holding in a number of ways and worked towards supporting and enhancing biodiversity by:

- Active management of woodlands and pasture
- Mixed planting and regular thinning of woodlands
- Management of rides to improve light levels
- Coppice rotation which provides a patchwork of diverse habitats
- Use of small scale forestry machinery to reduce soil compaction and maintain woodland flora
- Retention of deadwood habitats and creation of woody piles within woodlands and connecting to lakes
- Planting of new orchard and hedgerows.

4.5.3 In broad terms, this has been carried out through:

- Replanting of designated Ancient Woodland from a conifer plantation to native mixed broadleaf and coppice trees including oak, cherry, silver birch, hazel, sweet chestnut, hornbeam, and small leaved lime
- Planting of new woodland areas and replanting of areas felled due to SPHs. Replanting is not required by SPHs and has caused many previously wooded areas in the UK to now be left as neglected scrubland. To replant and care for these trees has been costly to me in time and materials but accords with the aims of The Hillyfield and the approved Woodland Management Plan.
- Invasive species management and control. In particular:
 - Removal of extensive cherry laurel throughout the designated Ancient Woodland of 'Hillyfield Plantation'
 - Eradication of japanese knotweed and himalayan balsam
 - Control of bamboo in the wet woodland area close to the river
 - Control of deer and squirrel populations as these animals are a serious threat to the health of our trees
- Improving river water quality and protecting against downstream flooding through:
 - Planting of willow to slow flooding and protect soil integrity
 - Maintain soil integrity by avoiding clear-felling and by replanting trees as soon as possible
 - Management of rides, riverbank trees and edges
 - Protect and enhance soil structure by avoiding heavy machinery within woodlands.

4.6. Management Approach– Landscape

- 4.6.1 The management approach to the land uses of The Hillyfield will as far as possible maintain the traditional landscape elements in the same way that they have been maintained and developed throughout the farming and forestry history of this area on the southern fringes of the Dartmoor uplands.
- 4.6.2 A landscape such as this is heavily dependent on a significant input from the managers of the land. Where management approaches have changed this has led to major changes in the local landscape such as removal of hedgerows as field sizes have been increased. To maintain traditional landscapes where modern farming and forestry methods are employed requires intervention and subsidy.
- 4.6.3 In contrast, the traditional labour-intensive approach at The Hillyfield maintains the landscape features of the area simply by the practice of good husbandry. The steep slopes are forested and managed by traditional means, such that clear felling by heavy machinery is replaced by selective felling and continuous cover. The tree species are largely native broadleaf. The open pastures are grazed and managed under organic stewardship.
- 4.6.4 Our plan is for forestry buildings to be constructed mainly from local materials (timber from the Hillyfield), located in places most suited to the operation of the holding and to sit comfortably in the landscape due to their traditional scale, design and function. This is exactly how traditional buildings for forestry and agriculture have occurred in this area throughout the history of land management here. That is what has created the landscape within which we work. Our approach is more in keeping with the traditional landscape than the large span steel and corrugated metal clad buildings found around the locality, which are now used to serve modern farming methods and large-scale machinery.
- 4.6.5 Up to this point all the buildings constructed have been of wood and canvas (with the exception of some tin roofing). This has allowed for flexibility of location and low initial investment at a period of expensive woodland restoration with low returns.
- 4.6.6 Hedgerows will mostly be maintained by hand and laid where appropriate to encourage thick boundary hedges with selected trees growing up from within the hedge. In due course these will become stock-proof boundaries reducing the need for additional post and wire fencing around fields, something which is seen in so many farming landscapes once traditional hedge laying has been abandoned.

5. The Hillyfield Forestry Enterprise

5.1. Big picture

- 5.1.1 The Hillyfield is a working holding committed to developing a well-managed active woodland enterprise, and a productive agricultural holding on what has, in the past 35 years, been left as an unproductive, neglected upland area.
- 5.1.2 Our founding statement at The Hillyfield is to manage the land for ecological, economic, and community benefit, and to help restore a 'Woodland Culture' on Dartmoor.
- 5.1.3 Enterprise at The Hillyfield is multi-layered, aiming to add value wherever possible, whilst not losing sight of our ecological and social purpose.
- 5.1.4 As written in our Forestry Commission approved management plan, the long-term vision at The Hillyfield is to restore our woodlands to a

'thriving, healthy mixed woodland landscape maintained over the existing footprint with minor areas of additional woodland & habitat creation':

- Forestry and 'added value' products will be providing regular employment

- Management to improve biodiversity, and the growing timber and coppice stock will generate a sustainable income from firewood, charcoal, timber and added value sales through development of quality home grown primary products
 - A community supported firewood scheme will be supplying firewood at a guaranteed moisture content of less than 25%.
- 5.1.5 Our forestry enterprise fits well with the Dartmoor Woodland Strategy, successfully delivering 6 out of 8 priorities for Action. (See Appendix App12-2 HAP)
- 5.1.6 We sell home-grown firewood and milled timber to local markets. The income generated through the sale of our home-grown timber is supplemented by various events and activities taking place on the land within the '28-day rule' of permitted development.
- 5.1.7 As time allows we will continue to develop our business as well as the agricultural element of the farm to provide food, fodder, and farm livestock.
- 5.1.8 DEFRA encourages National Park Authorities to support Woodland management that delivers production of firewood, timber for construction, and recreation by saying in the English National Parks and the Broads UK Government Vision and Circular 2010 on 'Mitigating climate change: leading the way';
- 'Woodlands should be managed to increase their contribution to climate change mitigation through either sequestration in growing biomass or through wood and timber produced from the woodlands substituting for fossil fuels and more energy intensive construction materials. The Authorities should use their influence to encourage farming practices which reduce emissions, such as lower fertilizer use' (Point 44 p. 13)*
- 5.1.9 Specifically, it goes on to state in paragraph 45:
- 'Trees, woods and forests store carbon and can help to reduce the worst effects of a changing climate in rural and urban environments. They also provide biodiversity benefits, are places for outdoor recreation and are a source of woodfuel and timber... Authorities are expected to support the Government's policy of the "right tree in the right place" and to contribute towards a step-change in planting rates in England by working with the Forestry Commission, landowners and managers, local communities, woodland businesses and voluntary groups to improve the management of existing woodlands and to increase woodland cover'.*
- (See Appendix KD7 p.13 and p.14)*
- 5.1.10 Similar support is expressed in the National Character Area Profile 150. Dartmoor report by Natural England) for
- 'encouraging initiatives that promote the use of local timber and wood products and facilitate communication and greater understanding between wood producers (large and small), processors and users'*
- (See Appendix KD8 National Character Area Profile)*
- 5.1.11 An active forestry industry was promoted in detail in the 'Woodland Strategy for Dartmoor National Park 2005-2010'. This document demonstrates what was a clearly supportive approach held by DNPA towards sustainable woodland management and proposing action plans to achieve them (See Appendix KD11)
- 5.1.12 With such clear guidance, I would have expected more support and encouragement from the LPA for our approach to woodland management.

5.2. The economics of small woodlands

- 5.2.1 An in-depth description of the economics of small woodland can be found in supporting documents written for my planning applications and appeal produced by Guy Watt of John Clegg

Consulting Ltd (See Appendices App1-2, App1-3, App1-4) and complemented by experts from forestry including Chris Marrow FIFC, former District Manager of the Forestry Commission (SW England) for 20 years (See appendix App6-6). Also covering the specifics of the local market by local forester Mike Gardner (see Appendix App6-8), and App6-9 by Jeremy Ralph from Timber Strategies.

- 5.2.2 For several generations, small woodlands like The Hillyfield have been neglected due to their lack of economic value. That neglect has produced timber quality that is depressed in value still further. To bring them back to sustainable management they have to pay their way. (For a detailed insight into the Economics of Small Woodlands see the following articles from the Royal Forestry Society Quarterly Journal of Forestry: Appendix App1-5 for a report on the conference 'Making Small Woods Pay' hosted by the RFS and Confor. Appendix App1-6 for an article on Patick Mannix's wood Sandhurst Copse and Sheepwalk, and Edmund Dorman's wood, Oxlodge in Appendix App1-7)
- 5.2.3 Small woodlands (less than 20ha) occupy 41% of the area of all woodlands in England, nearly half of which are currently undermanaged or seriously neglected. Restoring these woodlands to active management is sought in the Government's Forestry and Woodlands Policy Statement (Jan 2013 p.12)
- 5.2.4 The Government's stance is in part because of the significant boost they can provide to the local rural economy, whilst also providing substantial ecological and social benefits (See Appendix KD9 for the 'Final Report of the Independent Panel on Forestry'. And Appendix App11-8 'The Long Tail of Forestry').
- 5.2.5 Whilst Parliament is considering how to use financial incentives / subsidies to stimulate woodland management, The Hillyfield approach demonstrates a sustainable operation which while it has required some capital grant aid to establish the enterprise, will require little or no ongoing public subsidy for future operation.
- 5.2.6 The Hillyfield was used as a case study in a meeting at parliament held by the Conservative Rural Affairs Group (CRAG) on 6th February 2018. The meeting was specifically addressing issues affecting new entrants to forestry and farming, and dealt with planning issues impacting small scale rural enterprise. The CRAG offer policy advice and guidance to Government on rural issues.
- 5.2.7 I was previously invited (January 2018) to submit a formal letter on small woodland issues to Neil Parish MP, Chair of the Environment Food and Rural Affairs Select Committee so that he could take this forward with the Ministry of Housing Community and Local Government in the review of Government planning guidance. The principles of the proposed planning guidance changes I put forward are supported by the Royal Forestry Society, and the Small Woodland Association and can be found in Appendix App11-9.
- 5.2.8 The economics do not add up for small woodlands if they just sell the round wood stems unprocessed, as the value is too low. The traditional primary processing of timber into rough sawn planking and the processing of lower grade timber into firewood and other wood products are today essential to add sufficient value to the timber grown on site in order for a small woodland forestry business to begin to become viable.
- 5.2.9 There is no difference between adding value to timber grown on site and agricultural primary processing on site (e.g. baling hay and storing it in barns or drying grain in a dry store before it is sold as a crop, or indeed making wine from grapes). I understand it has long been recognised in case law that primary processing is a reasonable part of agriculture and forestry. Farm diversification has also been encouraged in recent years to maintain viability on the land and this has taken processing further. Cream and cheese making have always been traditional farm products just as hurdles and charcoal have been traditional woodland products.
- 5.2.10 There are also other examples on Dartmoor and around the country of where adding value to timber grown on site is seen as normal forestry practice and accepted under permitted

development (On Dartmoor App9-10-1b Fingle Woods, App9-12b Higher Druid Farm, in Lake District National Park Appendix App9-19b, and more dealt with in Section 13)

- 5.2.11 Woodlands offer diverse and multiple benefits and have an important part in the landscape and social identity of an area. Income can be supplemented in a number of ways by diversifying the use of the land to include e.g. community access membership, or workshops and activities. As far as I have understood, workshops and activities do not require a change of use unless activities that are not ancillary to the primary use take place for more than 28 days of the year. (Appendix KD9 Independent Panel on Forestry.)
- 5.2.12 An active forestry business is essential to underpin and deliver the habitat and other benefits implicit in sustainable woodland management. Something which is recognised in the most recent published guidance for woodland management on Dartmoor by Dartmoor National Park which says;

‘strategy should assist the industry in maintaining a critical mass on Dartmoor, ensuring continuity of employment for contractors, reasonable access to timber and new market opportunities. These are essential for sustainable woodland management and long-term habitat maintenance.’

(See Appendix KD11, A Woodland Strategy for Dartmoor National Park 2005 to 2010 p22)

- 5.2.13 This understanding is amplified by Simon Lloyd, Chief Exec of the Royal Forestry Society who in his letter of support for The Hillyfield states:

Woodland owners will not manage woods unless there is a clear financial incentive. There is no conflict between responsibly managed activities which ensure the woodland remunerates the owner and enhancing biodiversity and conservation value. Small scale woodland operations require a creative and entrepreneurial approach to make them pay. By contrast neglected woodlands smother life, foster pests and disease and represent a lost economic opportunity.

(See Appendix App6-7 RFS Letter)

5.3. Economics of Small Woodlands at The Hillyfield – Expert Opinion

- 5.3.1 The matters raised by this Public Inquiry, specifically regarding their potential impact upon viable small woodland restoration projects such as ours, has been of considerable interest to the local and national forestry community. Because of this, we have received many letters of support to justify our case from experts throughout the industry. (See Appendix App6 for a range of letters from across the industry including woodland owners (local, and national), forestry consultants and managers, and organisations including the Forestry Commission and the Royal Forestry Society)
- 5.3.2 Letters and reports of particular relevance have been put into Appendix 6 Letters from Foresters and I urge the inspector to read these for a full understanding of the depth of expertise and support provided by these individuals and organisations. (See Appendix 6 Letters Foresters). I

have reproduced two quotes here which sum up the issues regarding small woodland economics and the need for suitable development to support our approach to woodland management at The Hillyfield.

- 5.3.3 Jeremy Ralph, director of Timber Strategies, currently working with Exmoor National Park to help add value to the woodland holding writes:

'The economics of small woodland management, especially the conversion of undermanaged woodland to well-managed ecologically resilient woodland, requires as much money to be made as possible from the generally very low quality material to fund the work. In most circumstances woodlands remain unmanaged because the price received for 'roundwood' plus the costs of transport to processing facilities are greater than the cost of harvesting the timber.'

The Hillyfield proposal is to break this uneconomic cycle by installing small-scale in-forest facilities at the site... This is the type of investment being encouraged by the European Union through the RDPE, by the Forestry Commission and by NGO's seeking to increase the amount of well managed woodland in England'

See Appendix App6-9 Timber Strategies

- 5.3.4 Mike Gardner, head forester at Dartington Hall Estate and director of Gardner Woodland Consultancy Ltd, expands on this in the conclusion to his report, expressing our need for small-scale development to support our work:

'To manage the woodlands at Hillyfield, to preserve the existing ecology of the site and to improve the biodiversity of the site in a cost effective manner requires the production of various sustainable timber and woodland products from the trees growing on the site. These operations need to be cost effective and not be a cost to the owner who does not have limitless resources to pour into the project.'

To be cost effective the products from the woodland need to be fit for purpose and of sufficient quality that the customer is happy to pay for them and hopefully recommend the products to others but certainly not complain they are not fit for purpose.

For firewood to be fit for purpose it has to be dry and hence it needs covered sheds to be stored in and not continually rained upon or covered in wet snow. There need to be sufficient sheds so that the firewood can season over the summer and stay dry in the cold wet winter. More higher value sawn planks need to be seasoned correctly undercover on flat ground to be a viable product.

Machinery needs to be stored undercover and in a secure manner so they are adequately maintained and not stolen.

To ensure further environmental benefits from the management of the woodlands and to produce a variety of products The Hillyfield's approach is to share volunteer opportunities for people to be actively involved in delivering the ongoing management of the woodlands. This provides less expensive labour than using commercial contractors all the time as well as affording training and experience to volunteers. (The timber industry has an average age of contractors being over 50 years old and is desperate for new younger entrants.)

These volunteers and trainees (as well as seasonal workers) obviously need suitable infrastructure in terms of warm and dry welfare space and a covered works area to make products out of the weather.

Due to the lack of affordable housing and lack of temporary affordable accommodation in the area there is also a need for simple accommodation for volunteers and temporary and seasonal workers. This needs to be on site to be time and cost efficient and to reduce road transport locally.'

See Appendix App6-8 Mike Gardner 2018

- 5.3.5 For further evidence on these matters please see Mr Watts proof of evidence on Forestry matters.

5.4. Strands of the business at The Hillyfield

Products we currently sell:

Timber

- 5.4.1 Selling local home-grown timber into the local market is a central element of The Hillyfield Business Plan, and we have invested heavily to be able to deliver this. This has been made even more important by the unexpected and sudden need for felling of all our Japanese larch.
- 5.4.2 Since 2010 I have successfully set up a small-scale timber business selling home-grown timber, firewood, and other products including non-timber forest products. Between 2013 and 2017 I generated a total of £44,062 from timber sold including round-wood, planks and firewood.
- 5.4.3 I hold up-to-date licenses from the Forestry Commission which are required to move and process material that would otherwise be site-bound due to the SPHN imposed quarantine on timber.
- 5.4.4 Our timber is licensed with the 'Grown in Britain' Kite mark, guaranteeing that our woods and products are managed sustainably and legally in accordance with the UK Forestry Standard.
- 5.4.5 All prices are worked out according to our current pricing structure, or to match other similar products from local providers. Supporting the research into timber yield at Hillyfield, Rupert Lane Woodlands has provided detailed analysis of products and their prices. (See Appendix App7-3 Products HF Lane for a breakdown of product prices)

Firewood

- 5.4.6 The Hillyfield sells the following firewood products:
- Chopped Firewood – currently to approximately 50 customers within a 7mile radius of The Hillyfield at a current price of £75m³ which we need to guarantee is less than 25% moisture content to be saleable.
 - 'Rocketlogs', a speciality 'one log bonfire' for which we own the trademark. Rocketlogs are made using a chainsaw and are currently our highest value product. We are still in the early stages of developing this business and accordingly the potential income from this product has not been included in our business forecast for this Inquiry, but is showing significant promise. Rocketlogstm are sold at £25 each, equivalent to £850m³. (See Appendix App7-7 for examples of our RocketlogTM marketing).

Milled Timber

- 5.4.7 The Hillyfield sells the following milled timber products:
- Planks milled on our mobile sawmill. We provide rough-sawn planks to local makers and private buyers. Planks sell at between £423m³ to £459m³

- Milled timber is sold as natural waney edge, or straight cut. It has been bought to be used as joists, floorboards, construction material, decking, and cladding
- Our timber has been used to build houses, green-houses, chicken arks, raised vegetable and flower beds, and for signs
- As part of these appeals, at least 10 local businesses have submitted letters of support expressing their interest to buy milled timber from the Hillyfield, if properly seasoned. These clients range from sole-traders, to larger businesses including a National Trust estate and Transition Homes, one of several local Community Land Trusts who share a commitment to buy locally sourced untreated timber, who plan to start building 25+ timber clad houses in the next two years. (Appendix App7-9 a,b,c,d,e,f,g, and support letters, and App11-10 for the National Trust sustainable wood guidance).
- Expert witnesses Mr Watt of John Clegg Consulting Ltd. will further address local timber supply in his proofs of evidence (see Appendix App1-4 Guy Watt).

Roundwood

- 5.4.8 With the new access, we can now sell round-wood timber in loads up to articulated lorry size. When desired, we can also sell round-wood to woodchip biomass fuel producers and to a local firewood supplier. However, this is not a profitable use of timber, and only takes place when an immediate cash flow is required.
- 5.4.9 Roundwood, stripped of its bark, has been sold to local playground makers, and to timber-framers working on bespoke building projects. This can fetch up to £459m³.
- 5.4.10 Roundwood fence posts have been used throughout our site and sold to local craftspeople and private buyers. Fence posts and strainers can fetch between £95m³ and £145m³.

Willow

- 5.4.11 We grow eight varieties of willow at The Hillyfield which is suitable for all types of willow use (e.g. for spilings to retain river banks, hurdles, basketry, and for living sculptures).
- 5.4.12 We have hosted occasional willow making workshops for several local makers over the years as 'Experiential Workshops' where the public can get to know our product and hence help develop the market. (See Appendix App1-8 page 5 of Jenny Wong's report for the conference Making Woodlands Pay, 1st November 2016)

Agriculture and Grazing

- 5.4.13 We rent out the grazing element at The Hillyfield to a neighbouring farmer who rears organic sheep and cattle.
- 5.4.14 We breed rare-breed, pasture-fed, free-range chickens and ducks and sell them and their eggs.

Events

- 5.4.15 A very small part of the business has been to provide educational and recreational events. These have been restricted to less than 28 days per year in case they might be interpreted as not being incidental to the forestry and agricultural use of the land.

5.5. Future strands of the business:

Hazel

- 5.5.1 There are areas of both over-stood and newly planted coppice stands at The Hillyfield. Over-stood hazel is suitable for charcoal making and green-wood products, and with time will be brought back into rotation.
- 5.5.2 We will build up a coppice business and sell traditional coppice crafts as well as innovative products such as 'The Nest', a 'living coffin' made from green hazel whips.
- 5.5.3 Charcoal products will include:

- BBQ charcoal for the local market. Charcoal is valued at £1620m³
- Biochar, a charcoal product used to enhance soil-health and fertility can be made from the waste products in the charcoal making process. Biochar is valued at £1080m³
- Artist Charcoal, made from willow grown on site. Artist charcoal is made in very small batches and can fetch up to £6000m³.

Non-Timber Forest Products

5.5.4 Non-Timber Forest Products (NTFP) include roots, resins, foliage, berries, etc.. The production and sale of NTFP forms a part of our Business Plan although this is yet to be developed.

So far, we have produced small quantities of:

- Nettle and bracken roots for natural dye production
- Resin from fir trees for incense production
- Nettle leaves and herb-flowers for tea-making
- Foliage for Christmas wreaths and wedding decorations
- Jam and wine from wild and cultivated berries
- Wild mushrooms each Autumn. We also plan to produce Mushroom logs and organise mushroom foraging walks in the future
- Herbs have been cultivated. We plan to develop these for sale as potted plants and as added-value products such as teas, ointments, tinctures, and creams
- Apple and other fruit trees have been planted as an orchard. It contains eight different local heritage apple tree varieties which will be suitable for making apple juice and cider
- Planted hedgerows rich with berry and fruiting bushes that will provide material suitable for bush-craft uses such as tinder and fire-making sticks as well as great ecological value.

Agriculture

5.5.5 The agricultural business will be developed further with a dairy herd of goats and the production of kefir from the goat milk.

5.6. Markets / partnerships

5.6.1 The Hillyfield is well placed in the local market to deliver quality home-grown timber products.

5.6.2 There is significant interest in 'buying local' in the area. The Transition Town movement originated in Totnes, and somewhat like the 'local food' movement, people have begun to pay attention to provenance of materials like firewood and timber for building. The Hillyfield has taken part twice in the Ecohomes Fair in Totnes sharing awareness of sustainable building materials.

5.6.3 Hillyfield products carry the 'Grown in Britain' kitemark, a national initiative helping support and develop markets for home-grown UK timber. (See Appendix KD10 Grown in Britain).

5.6.4 Pip Howard, Silvicultural Surveyor at EuropeanTrees (a company expert in trees, soil and landscape studies), visited The Hillyfield and compares our business approach to that carried out in Europe:

'There are few small, private, working woodlands left in the UK – it is vital to support them in order to secure a future for silviculture as a whole and therefore actual woodland itself. This importance grows every year as

*planting targets are not met and the commercial forestry sector is facing a long term crisis due to a severe lack of new planting, yet wood in construction rapidly has become the material of choice. **Small working woodlands have the opportunity of becoming an easy exemplar for traditional and innovative sustainable development across all industry sectors and should be encouraged in every way possible***'. (my emphasis)

(See Appendix App6-10 European Trees)

- 5.6.5 We have a loyal customer base for firewood sales. We keep a database with all customer emails so that we can contact them directly and have a very good presence on Facebook with over 1,300 'followers'.
- 5.6.6 We have proven demand for our timber from local makers and builders, as well as Community Land Trusts who have a commitment to sourcing local timber for their builds. (See Appendix App7-9 for 7 letters of support builders & Transition).
- 5.6.7 We are developing an online shop for the sale of our 'Rocketlogs' and advertise in a local sustainable lifestyle magazine. Sales are increasing, and we anticipate increasing production to be able to serve local retailers including Riverford, and Endsleigh garden centre. At present Rocketlogs are stocked in 'Artworks' the local arts and craft shop in South Brent. (See Appendix App7-7 Rocketlog Publicity)
- 5.6.8 We have developed a marketing brand for this product and hold the trademark for the name and design. Interest has been shown from some potential buyers in the festival circuit including 'Hearthworks' who run glamping spaces at Glastonbury and many other UK festivals as well as an online shop. They forecast requiring in the region of 500 Rocketlogs each year. (See Appendix App7-10)
- 5.6.9 Over the years The Hillyfield has taken part in a number of external events and worked with other organisations to help promote our products and activities. We have held stalls at several public events including Devon County Show, Totnes & District Show, The Pink Tree Fair, Totnes Eco-Homes Fair, Local Entrepreneur Forum, and The South Brent Wood Fair (The South Brent Wood Fair is an event that The Hillyfield acted as a partner to help organize and promote). All of these events have helped publicise our small woodland business, attract volunteers to help us realize our goals and offered an opportunity to sell our products.
- 5.6.10 Further publicity and marketing is supported through our website and social media, as well as through articles published in various magazines and newspapers. (Appendix App10-4 Media)

5.7. Financial picture of the enterprise to date

- 5.7.1 There is significant work and expense involved in the early stages of bringing a woodland back into sustainable active management. We expected this and our labour-intensive approach using volunteers is the only way we could have got this far or have a realistic expectation of reaching a profitable and sustainable long-term enterprise.
- 5.7.2 The non-financial benefits of this approach for everyone involved and the natural services provided have been significant and far reaching. I have not attempted to put a value on these outcomes but they are recognised at government level as well as by many organisations who support and encourage volunteering and community involvement.
- 5.7.3 Capital investment has been significant to get to this stage of the development of the holding given that very little infrastructure and no suitable buildings were on the holding for forestry or agricultural use.

- 5.7.4 Grant funding has been a critical part of making the necessary capital investments in infrastructure to date. Some further grant funding has been hampered by the planning issues raised by the LPA.
- 5.7.5 Once the buildings required, the subject of this Inquiry, have been constructed there should be very little need for additional capital investment to sustain the project.

Income

- 5.7.6 As indicated above we have a number of current products which provide an income stream. That income has risen as additional products and markets have developed.
- 5.7.7 However, the current income stream is limited by the lack of permanent buildings on site suitable for dry storage and workshop tasks. On most mixed farm holdings such buildings would be in place and no issue would have arisen. Indeed it was one of our concerns when considering purchasing The Hillyfield, hence the preliminary discussions with the LPA before investing.
- 5.7.8 Over the period between 2012 and 2018 the total income of the enterprise has been £155,730. (See Appendix App7-11 Accounts)
- 5.7.9 The income from products has been held back by lack of suitable buildings and extreme workloads of restoring neglected woodlands, managing disease, investing in essential infrastructure and dealing with planning issues.
- 5.7.10 Other income has included monies raised during events and activities, as well as donations, but does not include any income from crowd-funding carried out in 2016 to help fund the costs of this Inquiry.

5.7.11 Income streams are tabulated below:

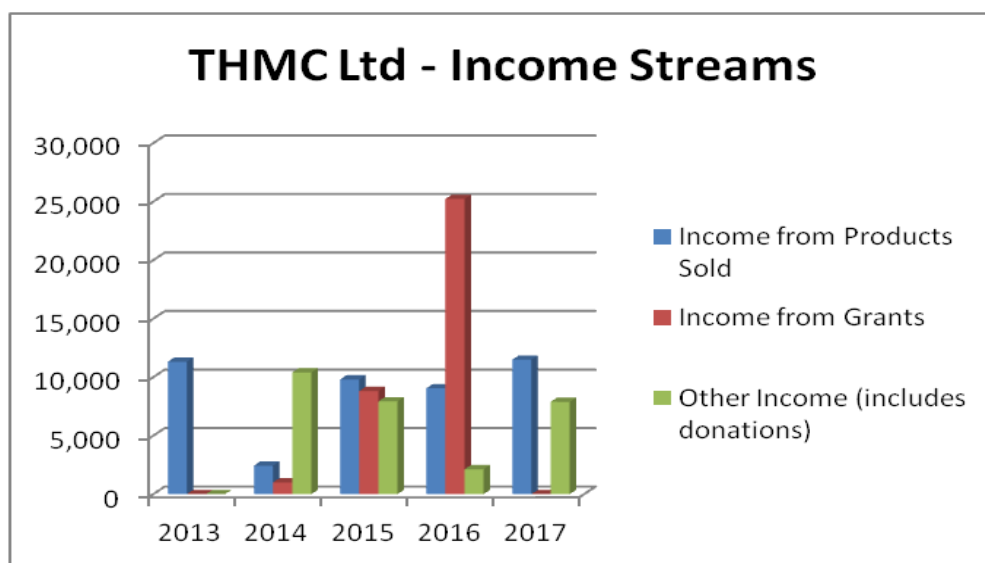


Figure 2 - The Hillyfield Income Streams

Running Expenses

- 5.7.12 The lack of appropriate permanent buildings has an effect on the level of expenses incurred in the running of the enterprise.
- 5.7.13 For example, the lack of dry storage for machinery and tools has cost a considerable amount more in maintenance and repairs than would have been the case with a suitable machinery storage building available. The letter of support by Tony Sam's expresses this well. (See Appendix App10-5)
- 5.7.14 Machinery upkeep and repairs are a regular outgoing and would be considerably reduced if we had a covered space and workshop to maintain the equipment ourselves.
- 5.7.15 Similarly, structures currently used at The Hillyfield are themselves light-weight and vulnerable to weather damage and early-ageing. Although the initial cost of construction is low, replacement of tarpaulin roofs due to age or storm-damage requires ongoing attention and investment. Given their low-impact and temporary nature these structures can take quite a bit of upkeep which makes operations less efficient than they could be. Having permanent structures would improve this situation, and despite the initial higher investment, in the long-run require less upkeep and repair.
- 5.7.16 In engaging volunteers I commit to provide food, sanitary products, and protective equipment for them as well as other costs associated with volunteers.
- 5.7.17 The total cost of operations in the period between 2012 and 2018 has been £141,405. (See Appendix App7-11 Accounts)

Personal Capital Investment

- 5.7.18 I have committed over £56,000 in personal capital investment and equipment since taking ownership of The Hillyfield. In the same period, capital introduced to the business has been just over £44,000.
- 5.7.19 Capital items such as the tractor, quadbike, generators, timber processors and other equipment are described in the section justifying our need for a machinery store (see appendix App7-12a Machinery Store scale drawing and App7-12b Machinery & tools for secure barn). Permanent storage facilities would help protect the capital investment in these items and reduce depreciation.

- 5.7.20 The development of barns to support the operational management of the project will be the last significant capital investment required and will set up The Hillyfield for a future of profitable enterprise.

Grant Funding

- 5.7.21 We have been successful in attracting grant funding to help develop the project in these early years.
- 5.7.22 In total, during my ownership, the English Woodland Grant Scheme (EWGS) has invested £72,715.62 into various aspects of the project. Including:
- Woodland Creation Grants. Supporting the planting and care of new trees
 - A Woodland planning grant. Helping towards the cost of writing up an FC approved management plan ensuring that the project is managed according to UK Forestry Standards
 - Woodland Improvement Grants. Providing funding towards tracks within the woods to help with ongoing management tasks, and also for the new access.
- 5.7.23 Grant funding has also been provided by DEFRA through the RDPE as part of the Farming and Forestry Improvement Scheme (FFIS) to help make our forestry enterprise more productive and efficient by helping us invest in capital equipment including a firewood processor, timber grab for the digger, and a logging arch for the quad bike.
- 5.7.24 Additional Grants have come from the Dartmoor Sustainable Development fund to support feasibility research into micro-hydro power at The Hillyfield, and to help facilitate volunteer activities.
- 5.7.25 A Countryside Productivity Grant was applied for in order to help offset some of the capital investment required to build the barns. The barns were eligible as they could be shown to improve the sustainability and productivity of the holding, assist in growing the business and offer opportunities to create more paid employment. Unfortunately due to the complications in planning I was not able to benefit from this funding.
- 5.7.26 Similarly, funding from the Greater Dartmoor Local Enterprise Action Fund (GD LEAF) for up to 40% of build costs should be available for the barns, if funds are still available, as I have been advised that they are *'perfectly situated in the target area for funding'*.
- 5.7.27 Funding for forestry is increasingly hard to come by, and there is no certainty of what funding might be available in the future. However, it would be a great financial set-back if we were to miss the opportunity to take advantage of these funding streams due to further planning delays.

5.8. Future business performance

- 5.8.1 Future business performance is inextricably linked to the outcome of the appeals being considered here;
- The current temporary infrastructure underpins the enterprise so far as it is able
 - The barns under appeal are the necessary infrastructure for the establishment of the enterprise and its long-term sustainability.
 - Short-term accommodation for volunteers is crucial to the ability to manage the woodland in accord with the management plan. Any outcome which removes all forms of accommodation will require a different management plan and will not be able to deliver the economic, environmental and social benefits of the current one.
- 5.8.2 Consequently, the enterprise will be significantly impacted by the outcome of this appeal. To understand the outcomes better they are set out below in three scenarios.

Scenario 1

- 5.8.3 If, as an outcome of the Inquiry, the barns cannot be built and all the temporary infrastructure has to be removed (as required by the LPA) then we will have to remove all of the infrastructure which currently serves the practical management activities and enterprise at The Hillyfield.
- Without any supportive infrastructure - there is no future for the woodland enterprise or its economic, social and environmental benefits
 - Without accommodation and welfare facilities - it will be impractical to use volunteer labour to the extent required to fulfil the woodland management plan
 - Without the machinery barn the costs due to weather and possible theft and Health & Safety issues relating to machinery, equipment and chemicals will increase
 - Without the drying barn - there will be no market for firewood with a high moisture content or for timber products which are inadequately seasoned. This would mean our customer base would collapse, possibly gradually but most likely very rapidly
 - Without a covered workspace to make woodland products there will be nowhere to work in bad weather and nothing to sell
 - Without income from the woodland – The business will have to be liquidated and the woodland sold off as ‘amenity woodland’, to ultimately fall back into neglect
 - To recoup some capital investment the sale of our existing round-wood timber stock at roadside prices (estimated at £28per sqm) might raise in the region of £34,000, rather than £210,915 if we could add value to it. (See Appendix App7-3 Products HF Lane). This is significantly short of the capital invested in the site so far and will be a financial disaster that would cripple any future attempts for me to re-enter woodland management in another location
 - Without the business – The Hillyfield will be forced back to an unmanaged woodland with lowering of biodiversity and failing to assist in any of the Government’s or the National Parks objectives or targets.
- 5.8.4 Also of significance, are the wider implications of the failure of The Hillyfield which is seen as an exemplar for returning neglected small woods back to profitability and to advancing the national agenda for the UK’s small woodlands to assist with issues of reducing fossil fuel use, enhancing rural economic activity and offering social and environmental benefits. It will also act to discourage others from entering into small woodland management, especially in Dartmoor. This will have a much larger impact over time for an emerging Culture of Wood as specified in the Government’s 25 year Environment Plan.

Scenario 2

- 5.8.5 In Scenario 2, where the enforcement notices are quashed, but the other appeals are dismissed, then we would have our temporary accommodation but not our permanent structures. In this circumstance:
- The enterprise would continue but without the possibility to improve our storage of timber or machinery, nor the structures for our workforce
 - The amount of timber we can dry and get to market would be limited
 - Our firewood market will continue to be limited and
 - The lack of enough storage space will limit the range of planks or other products for sale
 - Consequently, much timber will need to be sold off as Roundwood with consequential limited income
 - Sustainable management of the woodlands would most likely continue
 - Volunteers will continue to be able to contribute to the work of the Management Plan

- The enterprise may make a small profit, but paid employment will be unlikely
- Poor quality temporary facilities will need to be maintained to provide the most basic of needs
- Negotiations with the planning authority would need to find a way to develop the infrastructure we require, which would most likely continue to be costly and time consuming
- Benefits for the local area will be limited in economic terms, but should continue in community and environmental terms.

Scenario 3

- 5.8.6 If the appeals are upheld and the barns can be constructed, and on-site volunteer accommodation is supported, then we can move forward with developing the enterprise
- Adequate and suitable permanent forestry facilities will be provided for all aspects of the enterprise including welfare, storage and workspace
 - The construction of the barns will use our own timber to reduce capital costs and provide a learning opportunity in timber framing and barn-construction as a positive benefit in heritage skills.
 - Appropriate levels of dry storage will enable the establishment of the firewood and timber products sales for the site and create a self-sufficient enterprise
 - The Woodland Management Plan will be able to be fulfilled with adequate volunteer labour and some paid employment leading to enhanced biodiversity and landscape benefits.
 - Continue to improve our business by adding value to our wood through firewood, planks and other timber products.
 - Employ someone to take on a more responsible role in this process
 - Return a healthy annual turnover, entirely from the sale of our own timber
 - The enterprise will have a long term sustainable future with profitable management, benefitting the community, the local economy and the environment.
- 5.8.7 In the wider context the Government's agenda for small woodland restoration will be upheld, and an increasing number of people may be willing to invest in small woodland management, taking the Hillyfield as a continuing exemplar of the multiple benefits.
- 5.8.8 The mensuration report by Mr Lane of Rupert Lane Woodlands adds to this positively managed woodland outcome by indicating the future outputs a well-managed woodland at The Hillyfield will achieve.
- 5.8.9 Over the next 20 years timber sales of the existing, already felled stockpile of larch will reduce, whilst the felling, processing, and sale of coppice and hardwood products from the other areas in The Hillyfield will gradually increase. Given the higher value of hardwood products, and the quickly growing productivity of woodland managed as coppice rotation, this will maintain our business turnover. (See appendix App7-2 Yield data HF for Graphs and Tables which show the predicted yield and the predicted value of all the timber at The Hillyfield). There will also be opportunities to offer the positive benefits of running workshops in aspects of our woodland management which could provide supplementary income toward our annual turnover.
- 5.8.10 In his report of the sustainable timber yield at Hillyfield and product estimates, Rupert Lane calculates that over the next 20 years we should be able to achieve an average turnover in excess of £118,000 in each 5 year period. (See Appendix App7-2 Yield)
- 5.8.11 Aside from the income from coppice products, the above workings are based purely on the timber aspect of our business which requires an adequately designed and sized barn to season

and dry sufficient firewood and planks to be able to serve our customers. We do however have a diverse number of other income potential which are not accounted for. Our Rocketlog business is promising, and some products we have yet to develop. For example, adding value through charcoal manufacture (bbq charcoal, biochar, artists charcoal), and also the non-timber forest products. With an appropriate covered workspace, located adjacent to the staff kitchen / welfare room, productivity would certainly benefit. With a dry space to work it would be conducive to producing higher value coppice products and allow us to continue being productive during foul weather.

- 5.8.12 Estimated product values over the next 20 years are detailed below and supported by Appendix App7-2 Yield & App7-3 Products HF

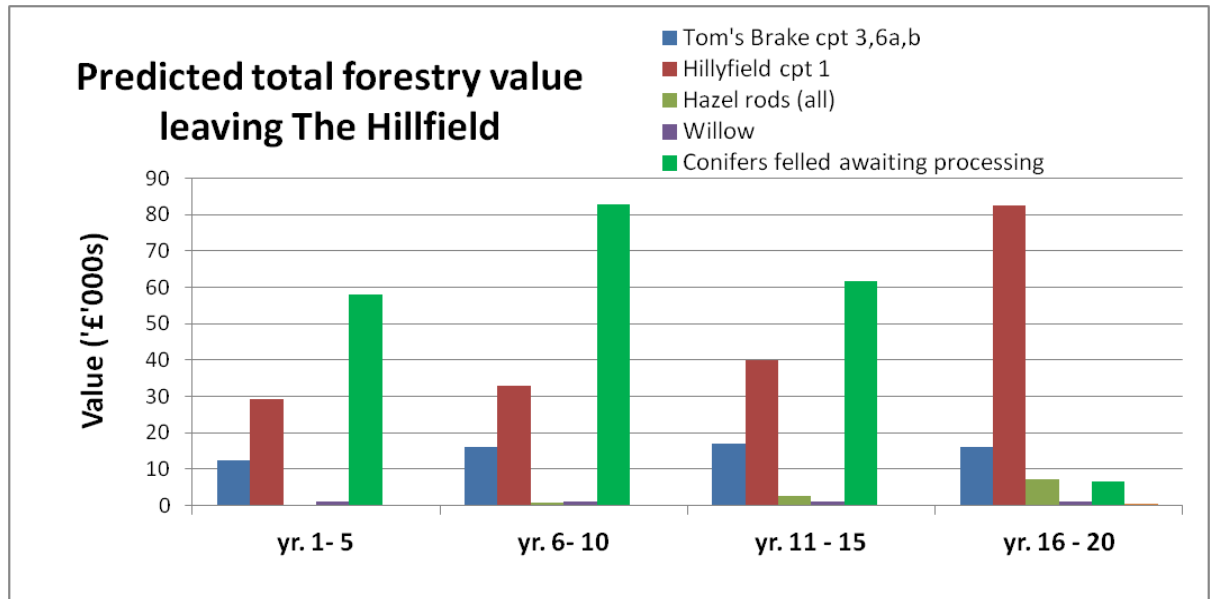


Figure 3 – Predicted total forestry value leaving the Hillyfield

6. Existing site infrastructure and use

- 6.1.1 At present the existing infrastructure at The Hillyfield leaves much to be desired. None of the structures we are using today have been built with the intention of being a permanent working solution, but rather a temporary set-up to facilitate the essential work at hand in anticipation of applying for permanent forestry structures. Given the simple materials used in their construction they are prone to wear and tear. I have not felt able to invest in repairs to these structures for the past 2 years because of the uncertainty of the enforcement situation.
- 6.1.2 Several structures were first erected in the preparations I made for my wedding in 2011. They were made quickly with the help of friends and with a clear intention that they could help serve our needs for the woodland restoration we would be carrying out. These are dealt with in the CLUED application I submitted in September 2017 (0446/17) and are referred to in Section (See Appendix App2-3)
- 6.1.3 These structures were intended to be a temporary measure to be used until I was in a position to build the forestry barns I already knew I needed.
- 6.1.4 Below is a table of all structures I have used at The Hillyfield during my ownership:

Structure	Location	Use	Material & Size	Date Erected	Date Removed
Chicken Sheds and Shelters	#1 (Lower Pasture)	Poultry	Timber small items aggregated approx. 24.2sqm	April 2012	Remains in Place
Compost Toilet #2	#2 (Lower Pasture)	Toilet	Timber 6.5sqm (1.7m x 3.8m)	May 2011	Remains in Place
Field Kitchen	#3 (Lower Pasture)	Welfare	Canvas 58.5sqm (7.7m x 7.6m)	April 2008	Remains in Place
Solar Power Unit	#4 (Lower Pasture)	Power	Trailer 2.7sqm (1.2m x 2.2m)	Nov. 2012	Remains in Place
Yurt Platform	#6 (The Glade)	Base for yurt accommodation	Timber 95sqm (5.5m x 5.5m)	June 2011	Remains in Place
Yurt	#6 (The Glade)	Accommodation	Canvas 95sqm (5.5m x 5.5m)	occasional	Dismantled when not in use
Horse Box	#7 (Lakeside Pasture)	Sauna	Trailer 7sqm (1.8m x 3.9m)	Sept 2010	Remains in Place
Caravan #1	#8 (Lakeside Pasture)	Accommodation	Caravan 11.1sqm (2.1m x 5.3m)	Sept 2011	Moved July 2012 to Lake edge & Feb 2017 to field edge

Caravan #2	#9 (Lakeside Pasture)	Accommodation	Caravan 11.1sqm (2.1m x 5.3m)	January 2013	Moved to field edge Feb 2017 from pasture
Compost Toilet #1	#10 (Lakeside Pasture)	Toilet	Timber 17.3sqm (5.4m x 3.2m)	May 2011	Remains in Place
Tented Workspace	#11 (Hillyfield Plantation)	Covered Workspace & storage	Canvas 94.3sqm (13.1m x 7.2m)	Oct 2012	Remains in Place
Shed	#12 (Quarry)	Clothes changing / hanging / storage / welfare	Timber 16sqm (4m x 4m)	Planning permission granted and erected in mid 1990's	Remains in Place
Lorry Body	#13 (Quarry)	Secure fuel Storage / compressor / canvas	Vehicle body 8sqm (2.06m x 4.07m)	Pre2006	Remains in Place
Canvas Woodshed	#14 (Quarry)	Storage of timber / guards etc.	Canvas 51.5sqm (8.3m x 6.2m)	February 2011	Remains in Place
Lorry	#15 (Quarry)	Tool Store	Vehicle 22.7sqm (2.5m x 9.1m)	c. 2007	Remains in Place
Temporary Firewood Store	#16 (Quarry)	Firewood Store	Timber 39.4sqm (5.8m x 6.8m)	Summer 2015	Remains in Place
Temporary Timber Store	#17 (Quarry)	Timber Store	Timber 45.43sqm (5.9m x 7.7m)	Summer 2015	Remains in Place
Canvas Firewood Store	#18 (below Quarry)	Firewood store (defective)	Canvas 58.9sqm (6.2m x 9.5m)	July 2011	Removed 2013

Figure 4 – Table of Structures at the Hillyfield

6.2. Limitations and Impracticalities of our current set-up

- 6.2.1 In 2009, prior to my purchasing The Hillyfield it was clear that the lack of permanent buildings on the site would significantly hamper any attempt to return the woodlands and the agricultural elements to an active and viable unit.
- 6.2.2 I approached DNPA with detailed plans to install barns to support a properly equipped forestry enterprise. At this early juncture I was met with encouragement. (See section 1.4 and Appendix App3-3)

- 6.2.3 However, in 2012, when I submitted the prior notification 0297/12 for the barns that I had described in my 2009 preliminary enquiry, despite the professional forestry support and justifying information supplied, the prior notification was refused as 'not necessary for forestry'. Mike Gardner, head forester at Dartington Hall Estate attended the site meeting to help clarify my need for barns writes in detail about his experience in a detailed report:

I left that meeting shocked and bewildered by the intransigence of the DNPA representatives and their total unwillingness to listen to the needs of the woodland management at the Hillyfield.

See Appendix App6-8 Mike Gardner 2018

- 6.2.4 Since that point most of my efforts to engage with the planning system have been exceptionally confusing. All of my applications and proposals have been resisted in an exhausting process of getting nowhere. This obstruction and resistance to supporting our enterprise is despite our success at achieving our practical aims to restore the woods from neglect whilst engaging a wide range of people, establishing a profitable business selling home-grown timber, assisting DNPA in meeting its targets, and receiving consistent and positive support from experts in the forestry sector, even winning 2nd Prize at Devon County Show for best managed mixed-objective woodland.
- 6.2.5 With-holding planning permission has held back the development of my enterprise significantly given that for the past 6 years I have not been able to store my firewood or mill timber in a dry barn, and instead have had to rely on inadequate temporary facilities, or mill timber to order which has not always been possible (and does not allow timber to be dried to appropriate moisture content before sale) and has therefore cost me many willing customers.
- 6.2.6 I have tried to address this frustrating state of affairs in various ways. As well as engaging in the formal planning process of submitting applications and appeals, CLUEDs and prior notifications, I have approached various members of DNPA in an effort to clarify and remedy the problems I have been having in achieving our shared goal of a rationalised, appropriately developed site at the Hillyfield. All of this is described in detail in Appendix App3-15 Communication with DNPA.
- 6.2.7 Unfortunately, none of these meetings, or contact with planners or other staff, has been able to resolve the planning situation, and hence we are still using exceptionally tired, temporary structures, to carry out our work.

Field Kitchen

- 6.2.8 The Field Kitchen is a very difficult structure to work with. I have replaced sections of canvas three times in order to try to make the space dry throughout the year, and after volunteers mentioned that wind and rain were making this facility uncomfortable in the winter of 2015 I purchased custom made end pieces to close the front and back from the worst of the weather. However, it takes a lot of work to keep the space clean, and being a canvas structure, there is the constant pressure of controlling the local population of rodents. Lighting is limited to a small solar collector, and there is no wood-burner installed.
- 6.2.9 Working in the woodland environment in all weathers can be gruelling, and requires a warm space to recover, eat, and rest. In the instance of illness or injury it is essential to have somewhere warm to recover. In these circumstances I bring volunteers home to our house to recuperate which, although necessary, is far from ideal for all involved.
- 6.2.10 Luke Broom Gillet, studied forestry and arboriculture at Bicton College. In 2013 he contributed 300 hours of voluntary work helping fell and process infected Larch

'Having assisted with felling and extracting diseased larch trees during periods of inclement weather, I am aware of the importance of a warm, sheltered environment to ensure the health and safety of volunteers. As stated in 2.4.4 of the planning statement 0438/17, the provision of welfare facilities for volunteers, is a requirement and not a luxury.'

See Appendix App10-1c Volunteer Letters & Luke & Richard Volunteer)

- 6.2.11 Dominic Small who worked for 4 weeks at Hillyfield in the winter of 2014:

'Of course we worked in all types of weather in the limited daylight hours of winter. From sunrise to sunset in rain or shine. One of the challenges of the experience was having a properly sheltered place to eat breakfast in the morning, make lunch, and of course eat dinner the end of the day'.... 'Having a permanent barn as proposed would greatly increase well-being for volunteers and all those who come to Hillyfield'... 'will forever be eternally grateful to the experience and want to make sure others can take advantage of Hillyfield. Much evidence exists to show how working with the land and being a part of it can improve us as human beings.'

Taken from Appendix App10-1d

- 6.2.12 A purpose built, clean, dry, and secure kitchen / welfare space is essential to be able to support the needs of workers committed to helping manage this woodland, contribute to a more productive working environment, and most importantly do a much better job at meeting health and safety standards.

Compost Toilets

- 6.2.13 The Compost toilets are rudimentary and somewhat open to the elements. They do have roofs, contrary to the DNPA report in the refusal of CLUEDS 0446/17 (see appendix App2-2). A toilet is essential. Without a compost toilet we could not have people work or visit, unless we purchased or hired a chemical alternative. It is a basic necessity.
- 6.2.14 In planning terms the toilets have been there for more than 4 years and were the subject of the CLUED application. (See appendix App2-3)

Covered Workspace

- 6.2.15 The covered workspace is limited in size and open to the elements. It is used as a central meeting place for our working day and for fixing and maintaining tools, sharpening our chainsaws, and working undercover, primarily when the weather is too wet to work outdoors. Activities include making rocketlogs, cleaving and sharpening fence-posts and stakes, coppice and willow work, making kindling bundles, and green-woodwork, as well as making all of the timber items we require throughout the holding such as gates, hurdles, fence-posts and tree stakes. The covered workspace is also used as a place to fix tree-guards and other items.
- 6.2.16 Given our lack of adequate storage space the workspace is also used for tool storage and timber drying. Space is limited and time is wasted when needing to move timber to make space for whatever job is at hand. This is particularly true when working with willow or hazel as a lot of space is needed to work with this material. It is also inadequate because only one person can work undercover using a chainsaw. It is equally inadequate in that it only offers the most rudimentary of dry spaces. Rain and snow can blow into the structure. The floor is often wet and dirty which does not make keeping wood clean easy, hence additional time wasted. The canvas roof has been badly damaged in a storm, and is showing signs of rot. It needs replacing. However due to the uncertainty of this appeal and our proposal for a new covered workspace in a barn I have withheld any additional investment to maintain this structure.
- 6.2.17 Mr Aven (DNPA's Enforcement Team Manager) specifically stated that he considered there was no problem with the 'workshop' during my application for the new access in 2013 (0503/13).

(see Appendix App3-16, and Appendix App3-15 for a full description of the matters surrounding this). Accordingly, Enforcement action on this structure remains a puzzle.

Accommodation

- 6.2.18 Accommodation for volunteers is in two caravans and a yurt⁴ which we erect when needed. The caravans provide basic sleeping accommodation with no toilet or cooking facilities. Lighting is provided by a simple solar electric array, and each structure is heated by a wood-burning stove.
- 6.2.19 The enforcement officers at DNPA have never previously indicated an enforceability problem with the caravans on site, despite making four separate enforcement visits in the three years between 2011 and 2013. During these visits I spoke specifically about whether or not I should take the caravans off site between volunteers staying. No clear answer was received so this was followed up by requests in writing and is thoroughly documented in the appendix App3-15 Communication with DNPA.
- 6.2.20 In brief, James Aven (DNPA's Enforcement Team Manager) advised me that rather than taking the caravans off site between volunteers staying to help work the land, it might be more appropriate to store them somewhere within the woodland holding. This was in conflict with the opinion of the Tree and Landscape Officer. I asked for clarity on this confusion in writing but was given no response. I followed up this request to Mr Aven in writing three times, in person, and through my forestry agent Rupert Lane. On none of these occasions was I given any response or clarity. Accordingly, I kept the caravans on site, discreetly tucked to the side of a field.
- 6.2.21 Following the DNPA statement of case and recommendation from the Environment Agency that one of the caravans was situated in an area that might flood during the 100-year flood, I moved both caravans to a spot directly adjacent to the compost toilet.
- 6.2.22 The caravans are not particularly well insulated, and the area outside them gets muddy in the winter. Given that our largest work teams stay on site during the winter months, this means that we must keep three separate structures heated by burning wood fuel.
- 6.2.23 Despite their inadequacies, these structures served us so far and have most importantly enabled us to carry out a tremendous amount of work in restoring our woodland holding. They also provide, as far as is practicable, for the (very) basic needs of a small and committed working team of volunteers. Unfortunately, it has meant that some very good workers have left earlier than planned due to not being able to cope with how difficult it is to work in these conditions. This leaves me short-handed when I have not got extra workers lined up and ready to come and join the team. This can be very frustrating and significantly hamper the completion of tasks.
- 6.2.24 In the most recent appeal #319110, there have been a large number of letters of support from past volunteers. I encourage the inspector to read these letters of support to gain further insight into the current set up along with their experience of helping work towards the goal of a well-managed sustainable woodland enterprises.
- 6.2.25 Carolyn Leddingham has volunteered on three separate occasions during 2015 and 2016. She says:

'I can say from first hand experience that forestry work at Hillyfield during the winter months is often cold, wet and muddy. Having a permanent building containing welfare facilities and covered workspaces would be highly beneficial to the wellbeing of the workers'... (my emphasis)

'I found my experience at Hillyfield extremely valuable. I learnt a lot about woodland management and learnt many new skills. Staying onsite was an important part of the experience as it allowed me to appreciate my surroundings, observe nature and connect more closely with

⁴ A yurt is a Mongolian circular wood and canvas structure, traditionally used by the nomads of Mongolia. The structure is made from a trellis of wood, with wooden beams meeting at a circular window in the roof. When in use it is erected on a custom built wooden platform. The yurt is removed when not in use and stored in a horsebox on site.

the environment. I found this very fulfilling, as well as providing me with a better understanding of the woodland. The proposed building will allow more people to have similar experiences. As well as providing personal benefits to these people and enhancing the management prospects of the Hillyfield, this would help to increase skills in sustainable woodland management amongst the population. It would also spread a greater awareness of the benefits of and need for sensitive management of our ecosystems, which will be good for the environment as a whole’.

Wood drying structures

- 6.2.26 The business aspect has also suffered considerably. For two winters, we have had to entirely stop our firewood sales because the timber has not been fit for sale due to not having a suitable barn to store and dry firewood. This is due primarily to the inadequacies of stacking timber under canvas or steel sheeting, and the difficulty in keeping stacked timber free from damp or mould.
- 6.2.27 Even with the temporary firewood shed we erected in summer 2015 we have been limited to what we have been able to stack and store in such a small space. Each year we have sold out of firewood due to the smallness of the stock. With adequate firewood storage we could expand our sales and support more houses with quality locally grown, ‘Grown in Britain’ approved firewood. This would prevent us having to disappoint customers late in the season with the impact this has on future sales.

Machinery Storage

- 6.2.28 There is no storage for machinery on site.
- 6.2.29 With no covered storage, machinery suffers unnecessary damage due to the elements, risk of theft and tampering, and has implications for the health and safety of visitors.
- 6.2.30 Tarpaulins and canvas is used to create temporary shelter for equipment, but is inefficient, unattractive and altogether inadequate for specialist machinery.
- 6.2.31 Tools and small equipment are kept in a secure lorry. This is not ideal due to the cramped space allowed for storage and passage down the central isle, and that the structure has a few small leaks meaning it is a little damp inside. Fuels and fluids are kept in a secure lorry body.

6.3. Impact of Infrastructure Inadequacy

- 6.3.1 Volunteers have been supported in their most basic needs of accommodation and rest space, but this has been far from ideal. Some volunteers have left due to the existing structures being too rudimentary. We have not been optimal in our productivity, and on occasion I have had periods where I have been left short-staffed. With adequate facilities more diverse groups of people could participate, rather than just the very hardy.
- 6.3.2 In terms of business development, we have been seriously hampered by not having the proper facilities to be able to carry out our work.
- 6.3.3 We have not been able to store planked timber in the dry until we erected the temporary wood-drying shed in 2015. This means that builders wishing to use our timber need to be able to plan several months in advance or engage in the costly process of kiln drying timber. Without suitable and properly dry storage I am unable to stock-pile cut timber to be ready for when an order comes in. This means I have to cut to order, which can become very difficult if there are extended periods of wet weather, or other urgent woodland management tasks.
- 6.3.4 With a proper wood drying barn I could cut and stack and store, and timber would always be available for customers with a variety of thicknesses and timber types to choose from. As far as I was aware this should have been a simple permitted use of my land to support my forestry business. However, I was refused permission for this, and the temporary timber drying store I erected is very limited due to its size but is now under enforcement.

- 6.3.5 The permanent buildings I seek will remove the necessity for the temporary structures used to date and resolve any concerns about 'untidiness'. The buildings all have clear purposes which I have found essential during the time I have worked the land here.

6.4. Other infrastructure

- 6.4.1 Although the existing buildings are far less than ideal, over the past 8 years I have invested heavily in improving other elements of infrastructure that serves the present and future management of the woods.
- A year-round supply of piped spring water⁵ from naturally occurring springs on the land serve all of our water needs.
 - Improved access within the holding allows access to all areas of the woodland.
 - A new access to the holding through a 4.8m gateway to a proper forestry access, taking all movements of vehicles away from the village of Harbournford.
 - High standard tree guards are in place to support the regeneration of our woodlands
 - The control of pests and invasive plants is fully managed.
- 6.4.2 All of this gives us the best opportunity to provide ongoing sustainable management of the woods.
- 6.4.3 The only missing ingredients are the structures essential for the present and future management of The Hillyfield.

⁵ We test our spring water regularly to check its safety for drinking.

7. Accommodation for volunteers

- 7.1.1 As well as engaging local volunteers in regular participation, and since 2010 hosting a monthly volunteer weekend to help with ongoing management of the land, some volunteers have been willing to offer extended periods of work (averaging 39 days per year). They generally sleep on site and help with the day-to-day management tasks depending on the season.
- 7.1.2 In order to support the inspector's understanding of the importance of these 'residential' volunteers in achieving our woodland restoration and management tasks all of the accommodation of workers between 2014 and 2017 has been documented in detail in the chart 'Seasonal Forest Workers v9' (See Appendix App7-6).

7.2. Accommodation so far

- 7.2.1 Workers sleeping on site eat and rest in the crew tent, use the compost toilets for their toilet needs, and wash outdoors at the sink provided using water piped from the nearby spring on site, or in good weather the solar shower. A sauna in a converted horsebox trailer located by the lake is used as a substitute for a shower / bath facility.
- 7.2.2 It is a challenging circumstance to stay in and is clearly only acceptable to individual workers on a short-term basis. The facilities provided are not suitable for, or intended as, permanent residential accommodation.
- 7.2.3 Accommodation for volunteers on site is in two caravans kept on site, and a yurt which is erected and dismantled as required. On occasion a seasonal worker will come with their own accommodation to stay in. This might be a campervan or tent.
- 7.2.4 When not in use, the caravans have not been removed from site but kept in place, in line with the outcome of discussions with Mr. Aven.
- 7.2.5 The two caravans kept on site allow workers to have separate sleeping quarters (male and female if needed) and have been used exclusively as sleeping accommodation for our seasonal forestry workers (the first caravan arrived in September 2011, the second in January 2013).
- 7.2.6 Since September 2014, 51 individual seasonal forest workers have taken part in the work, and one or both caravans have been used for an average of 8 months each calendar year. Seasonal forest workers have stayed for an average of 39 days, varying between 3 days and 7 months.
- 7.2.7 The yurt is assembled and dis-assembled as necessary to sleep additional workers. The yurt has been dismantled when not required for these purposes.
- 7.2.8 The platform for the yurt is made from a timber frame covered with a skin of plywood and sat on logs on the ground. It has some stairs and a stair rail to make climbing up to the platform in wet weather safe.
- 7.2.9 In April 2017 we erected the yurt and fitted a new olive-green canvas cover that blends into the landscape without being noticed.
- 7.2.10 All the above accommodation structures have been visited by enforcement officers on multiple occasions during my ownership of the land and not once has issue been raised about their use until the enforcement notices were served.
- 7.2.11 I understand that a caravan used for seasonal forest workers accommodation should normally be taken off site when not in use, however in 2012, during a site-visit to Hillyfield, Enforcement Team Manager James Aven agreed that rather than repeatedly removing and returning the caravan on and off the site throughout the year between seasonal worker visits, the stationing of the caravan in a discreet location on site might be preferable. I moved the caravan immediately following this advice and wrote to him to confirm this approach. I had no response to several emails trying to gain clarity on this situation (See Appendix App3-17).

- 7.2.12 Engaging volunteers for short and longer-term stays allows us to build up a good working team, experienced and skilful in the jobs at hand. They provide the back-bone of all work which has been carried out over the years.
- 7.2.13 Here follow charts taken from Appendix App7-6 which demonstrate how the accommodation has been used by workers between 2014 and 2017.
- 7.2.14 The maximum number of people staying on site at any time in the different accommodation spaces between 2014 and 2017 is detailed in the following charts.



Figure 5 – Maximum number of people staying in all accommodation (by year)

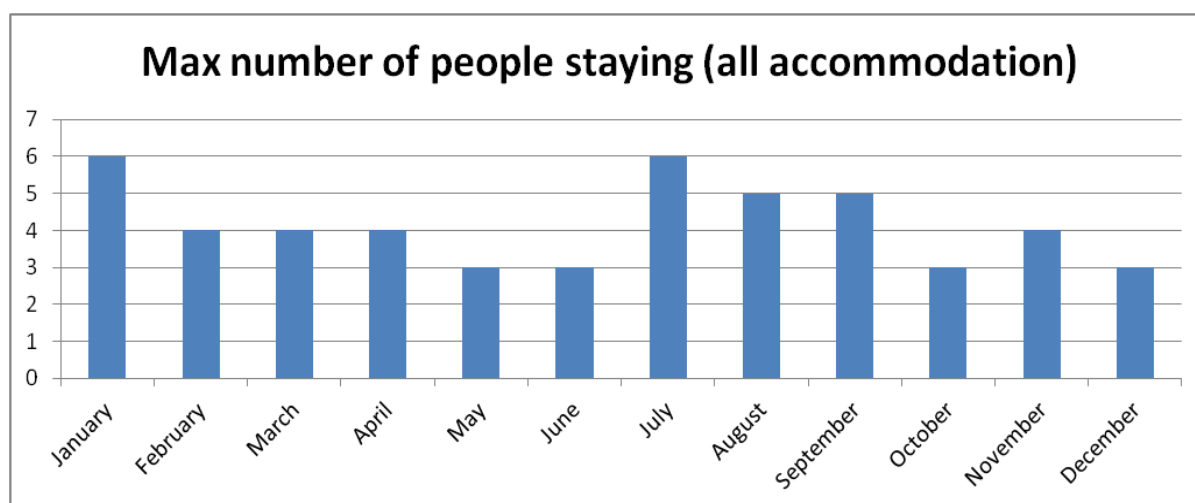


Figure 6– Maximum number of people staying in all accommodation (by month)

- 7.2.15 In total, between 2014 and 2017 accommodation at Hillyfield was occupied for 2,528 people days, with a mean length of stay per person of 39 days.

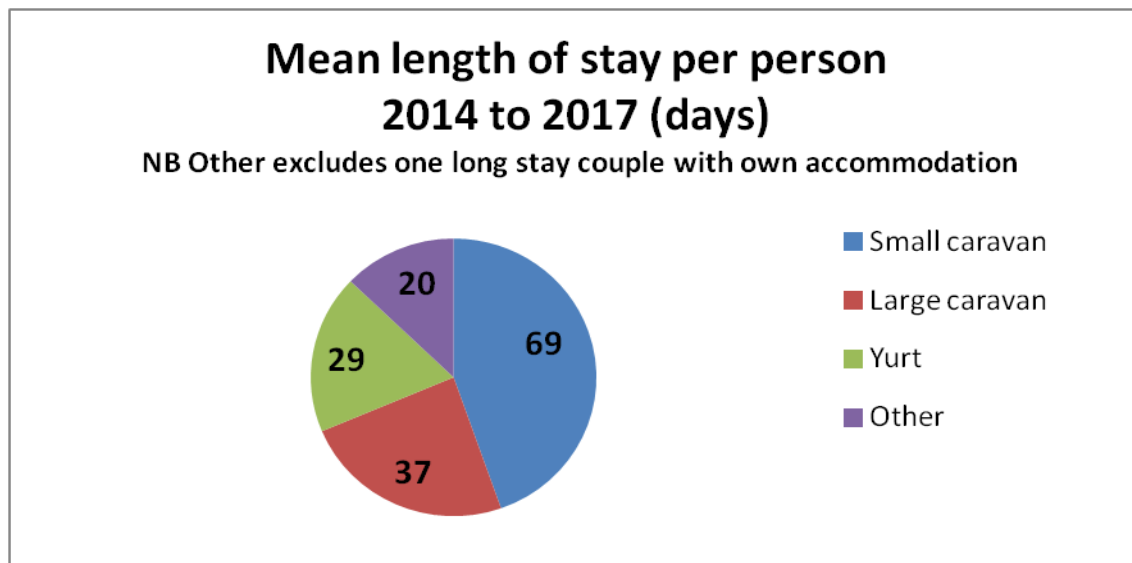


Figure 7 – Mean length of stay per person by accommodation

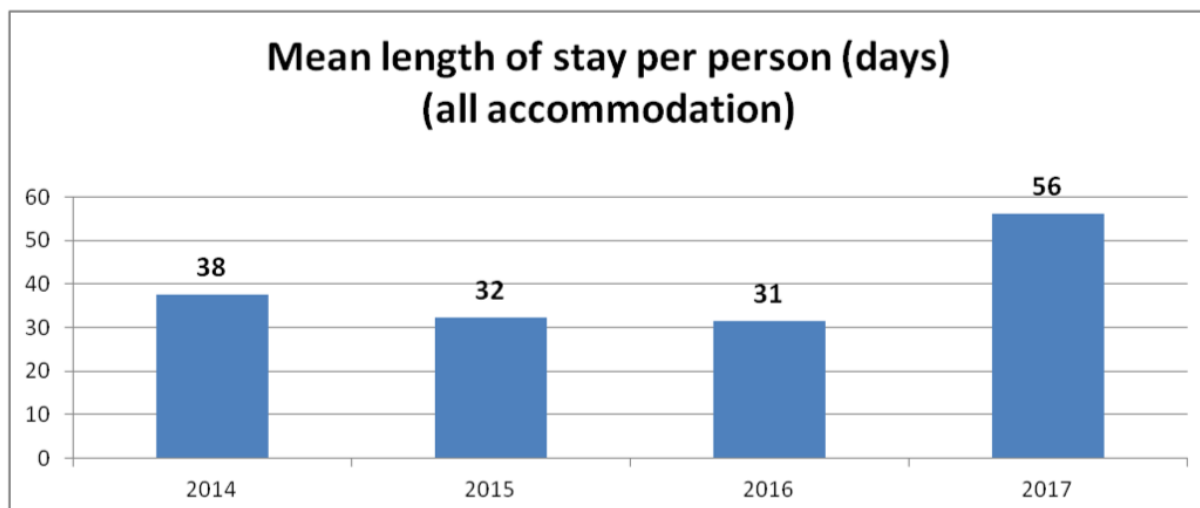


Figure 8 – Mean length of stay per person in all accommodation by year

7.2.16 The time that each structure was left empty (or in the case of the yurt, removed) is made apparent in the following charts. These show that although tasks are carried out year-round, the volunteer accommodation is not continuously occupied throughout the year. This accords with the practice of engaging seasonal forest workers to carry out tasks during limited periods of time, rather than a year-round residential use of the land.

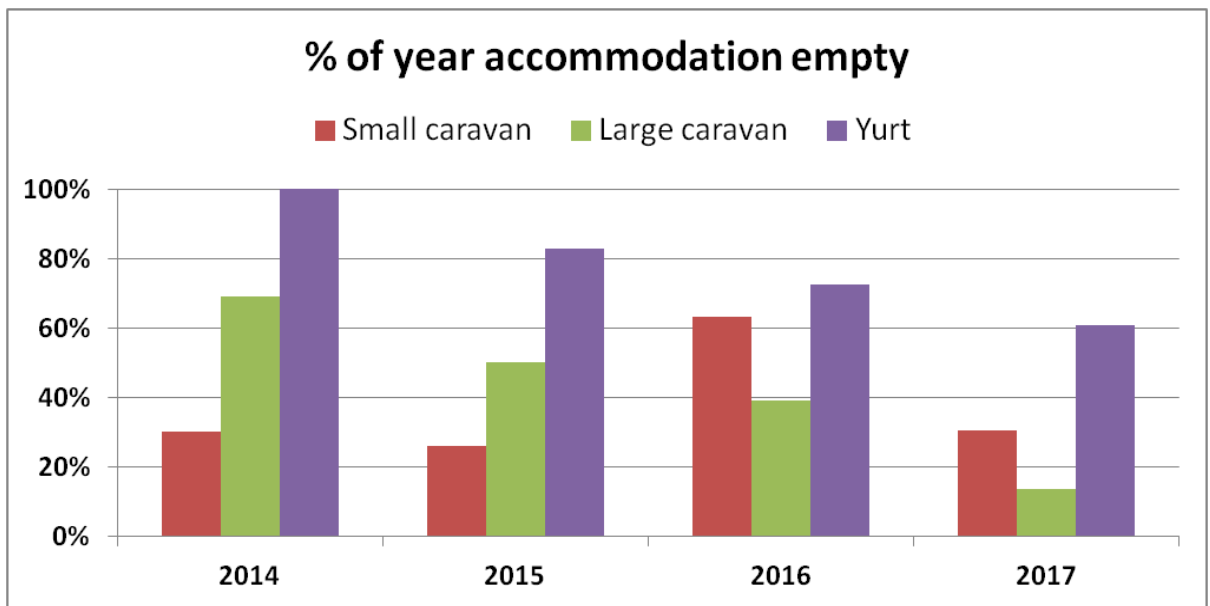


Figure 9 – Percentage of year accommodation empty by year

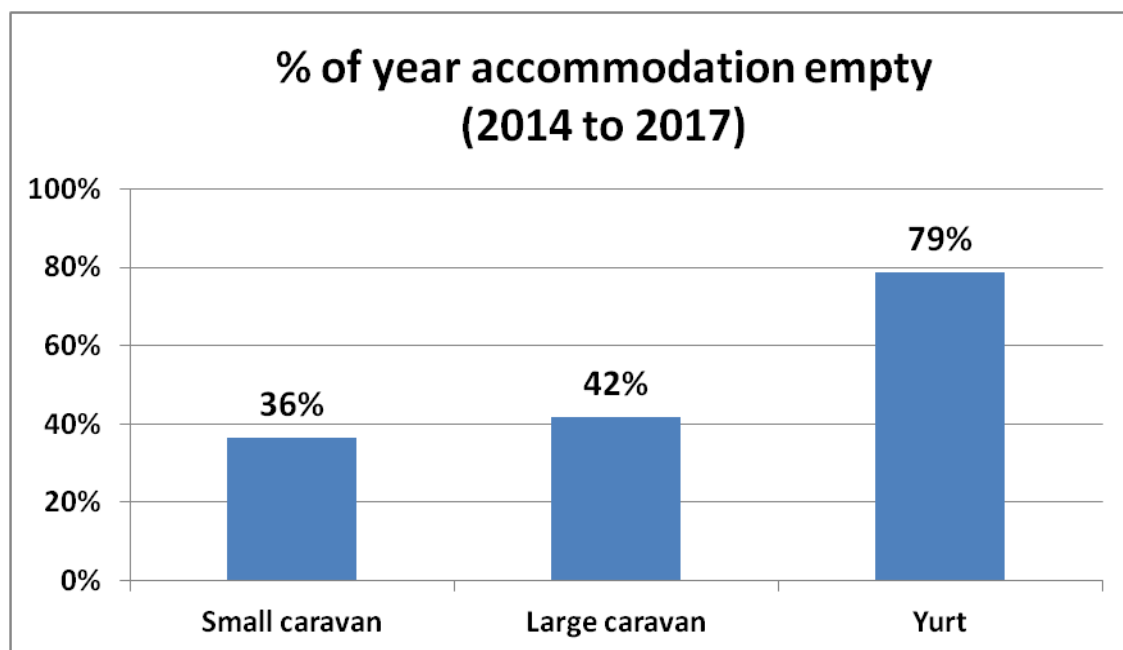


Figure 10– Percentage of year accommodation empty by type

7.2.17 The following chart shows the number of people-days worked by year. This indicates the rise in numbers of volunteers staying on site to assist in ongoing management. This increase has occurred for two reasons.

- We are now an established woodland project with a good track record for working with volunteers and hence attract more quality applicants whom I am confident to work with
- We have identified an appropriate size of team to work efficiently and safely together

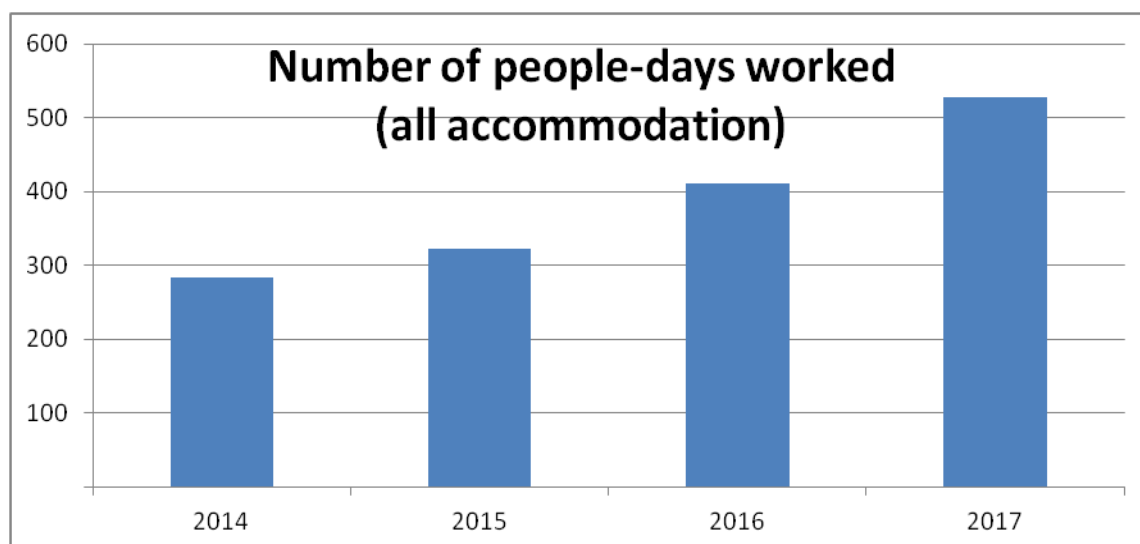


Figure 11 – Number of people days worked by seasonal forest workers by year

- 7.2.18 The vast majority of volunteers who have helped at The Hillyfield over the years have not been car drivers and thus not added to traffic in the local area. 75% of volunteers used sustainable forms of transport (which are walking, cycling and public transport). See chart below:

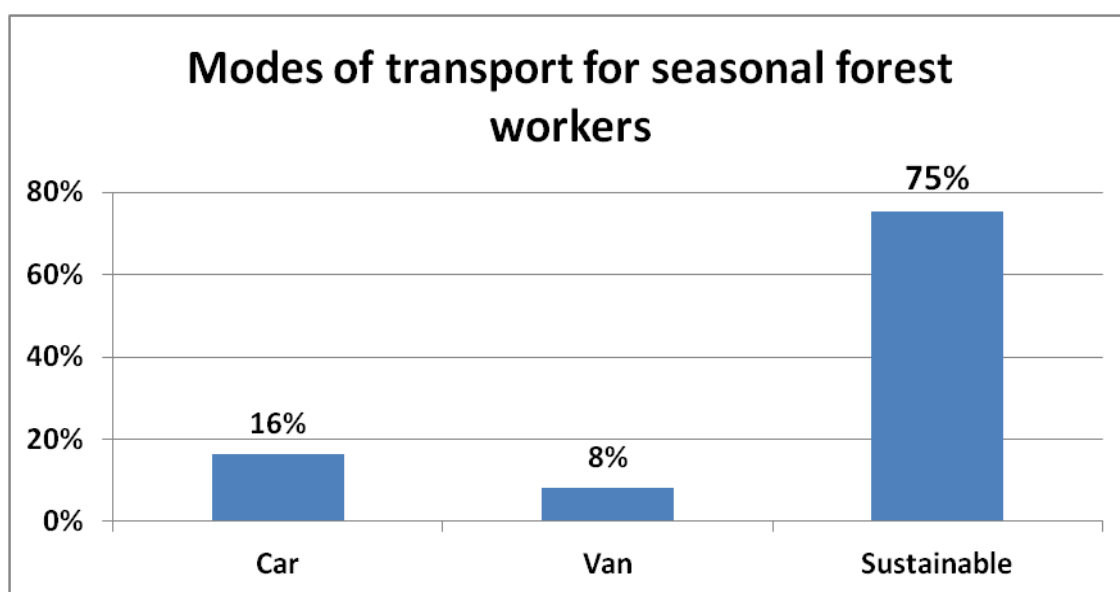


Figure 12 - Modes of Transport for seasonal forest workers at the Hillyfield

7.3. Alternative Accommodation for volunteers

- 7.3.1 It might be suggested that volunteers could stay off-site. However, the reason for volunteers being a key element of the management plan is that they achieve work that the enterprise cannot afford to pay for. It would not be financially viable to rent accommodation elsewhere for volunteers. The closest rooms to rent are in South Brent, and the minimum room cost is £49 per night. Additional to this would be the cost of transport, and given that there is no public bus service, volunteers would need to use a taxi to get in and out of work. Food costs would also need to be supplied rather than the provision of food as at present.

- 7.3.2 The total equivalent cost of housing volunteers in nearby accommodation between 2014 and 2018 would have been £147,343. Given that most volunteers do not have their own transport the additional cost of a taxi to and from the woods would have been £32,830 giving a total of £180,173 expenses in accommodation and transport. To engage volunteers in helping manage the woods with these costs would have been unviable for the enterprise. This is why the provisions for seasonal workers have been made in the GDO.

‘Ensuring the financial viability of the process by employing volunteer labour is a widespread practice. There are many examples of volunteers playing a critical role in supporting small scale woodland management.’

Simon Lloyd, CEO of the Royal Forestry Society (Appendix App6-7 RFS Support Letter)

- 7.3.3 Our current use of caravans and yurt to accommodate our working team is entirely reasonable and common practise amongst farms all over the country who engage a peripatetic workforce to help support the farm enterprise.

7.4. Accommodation - Looking forward

- 7.4.1 The proposal to provide sleeping accommodation in the roof of the Multi-Purpose Forestry Building is a long-term solution to the needs of volunteers who will always be a part of the management approach at The Hillyfield due to its labour-intensive nature.
- 7.4.2 The two rooms, with 2 beds in each, will provide a much more adequate level of accommodation for the forestry workers in all weathers than the caravans do at the moment.
- 7.4.3 Whilst we expect to be able to employ a member of staff when finances allow, they would live off-site. However, there will be a continuing need for volunteers to assist with the work on site and it is for them that accommodation will continue to be needed.
- 7.4.4 A condition that requires keeping of records of the period of stay of individuals would be acceptable to avoid any concern of this becoming a dwelling house. Another that required each volunteer to have a different permanent address would also make sense to avoid any suggestion that the volunteers’ accommodation was anything but short term non-residential in nature. See section 14 for proposed conditions appropriate for volunteer accommodation.
- 7.4.5 This proposal would allow us to remove the two caravans we currently use from site. We would need to keep the yurt as an occasional facility for couples who come to help, as the proposed accommodation in the barn would not be suitable for such a unit.

8. Education

8.1. Purpose of Education on Site

- 8.1.1 Woodlands and woodland management provides a great wealth of educational opportunities. A key aim at The Hillyfield is to help 'restore a culture of wood' to Dartmoor. This involves practicing and sharing heritage skills such as hedge-laying, and horse-logging. It is our aim that Hillyfield helps inspire other woodland owners and workers to help restore other neglected woodlands in the UK.
- 8.1.2 Engaging young people and adults in courses and activities on the land helps to foster an appreciation for our environment and the practical aspects of land management.
- 8.1.3 Education is not restricted to the running of courses at the land. I have also been published in magazine articles on various aspects of our woodland work, and this year have been invited by the Royal Forestry Society to help prepare a case study of our experiences at The Hillyfield to inspire and inform other small woodland owners about our approach. (See Appendix App6-7 RFS invitation email). (See Appendix App10-4 for a selection of articles from various publications).

8.2. Educational events

- 8.2.1 A variety of events have been held at The Hillyfield over the years, almost all of them have been directly related to the forestry activities carried out here. The benefits of these events are significant, but the intensity of such events has always been low. This is for 2 reasons:
 - There is not enough time to organise more events because of the pressures of the management plan to deliver all the tasks necessary for the sustainable outcomes in the woodland, and
 - To ensure that there was no more than 28 days each year given to such events, so that no dispute could arise over whether they were truly ancillary to forestry or were deemed a change of use.
- 8.2.2 We were funded by the Rural Development Programme for England (RDPE) to deliver two workshops in woodland skills. One on timber extraction and one on Non-Timber Forest Products (NTFP's). This was part of a national push to help spread awareness, encourage local woodland networks, and increase the skills of local woodland owners and workers. We had over 20 people participate in these workshops and very good feedback from participants (Appendix App11-12 Woodland RDPE copy) (Appendix App 10-4 Small Woods Magazine issue 57 Jan 2015)
- 8.2.3 We also have hosted or held educational events for local organisations. This has included South Brent After School Club working in partnership with Earthwrights, a company making environmentally friendly playgrounds. At this event children as young as 8 years old took part. This included the felling and extraction of a tree, milling of it into planks, and then the erection of a sign board in their own playground.
- 8.2.4 We have also held tours for university students from Schumacher College and Plymouth University, and also hosted a LANTRA 'Women to Work' funded project training women in Chainsaw use. (See Appendix App4-1 for details on all events and activities at The Hillyfield, and Appendix App10-3a and App10-3b Bicton Support).
- 8.2.5 In December 2015 The Local Nature Partnership (LNP) organised a site visit as part of the 'South Devon WoodFuel Hub' study This event was targeted at landowners and organisations interested in woodfuel.
- 8.2.6 Bicton College brought their Forestry and Land Management students to experience hands on practical work at The Hillyfield on several occasions. This directly fed into our volunteer programme when one student stayed to complete 300 hours of volunteer work which contributed towards his coursework (See appendix App10-1c Luke and Richard Volunteer)

- 8.2.7 This type of educational experience can also support hard to reach groups such as adults with learning difficulties. This year we have been asked to engage participants from the Ambios project who work with 'United Response', a charity dedicated to support adults with learning difficulties through offering work experience in the rural sector and offer Erasmus student visits to local land-based initiatives to supplement their study. (See Appendix App4-2 Ambios letter)
- 8.2.8 The combined number of days for all events (educational and recreational) has never exceeded 28 days in any one year.
- 8.2.9 All events are detailed in the spreadsheet Appendix App4-1 events and activities.

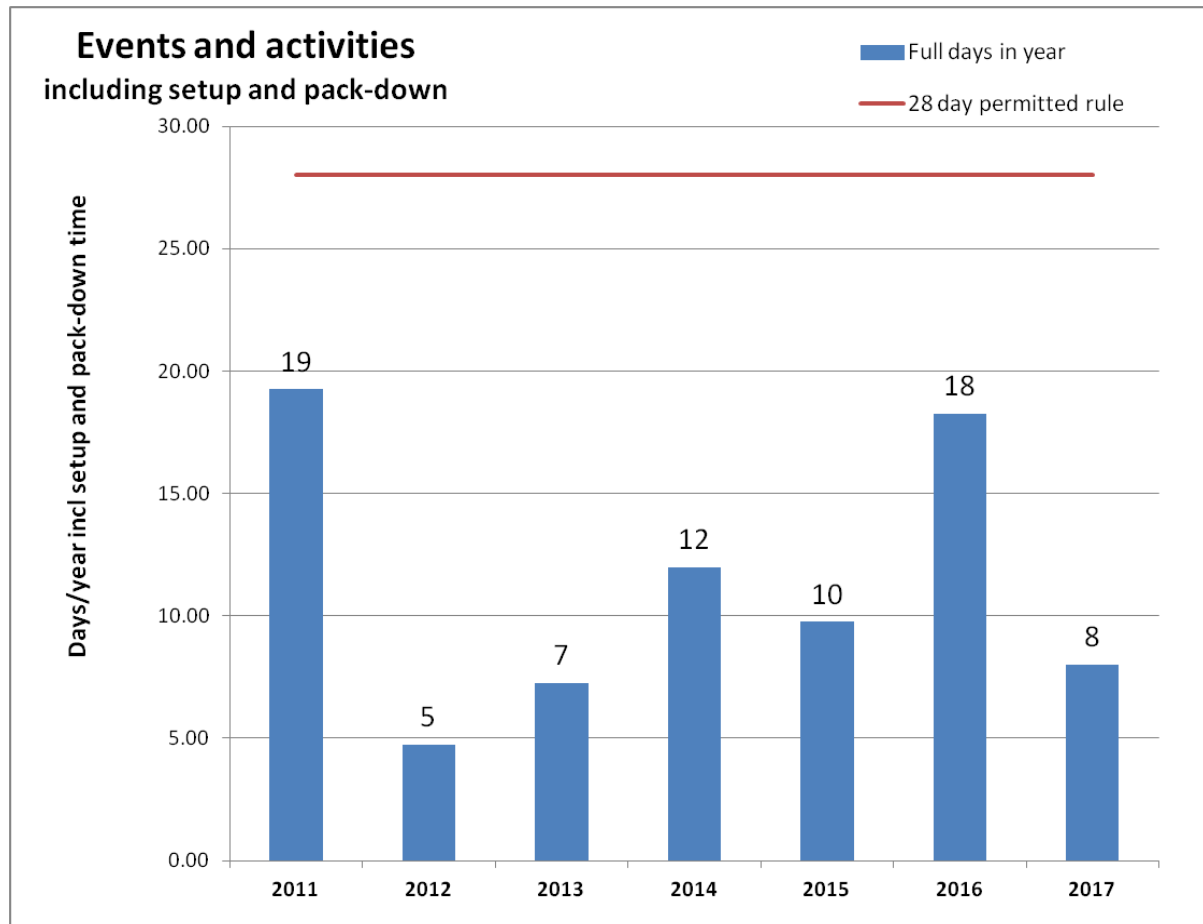


Figure 13 – Numbers of days of events and activities at The Hillyfield by year

9. Recreation

- 9.1.1 Recreation is a special activity which allows us, and those who visit, to enjoy the beauty of this precious piece of countryside and to be refreshed and revitalised by it.
- 9.1.2 We provide an annual Easter Egg Hunt for the local community and every other year we stage the Woodland Olympics, a day which gives those who work in woodlands in the area, and anyone else who would like to join in, the opportunity to have some fun with woodland themed games and workshops. Other recreational events are on a more occasional basis.
- 9.1.3 All the recreational events that have taken place over the years amount to only a small number of days but have given an opportunity to friends, volunteers, and the public to enjoy the special place that The Hillyfield is. They fulfil a great social and therapeutic benefit for all who attend. The activities are listed in full in the spreadsheet in Appendix App4-1.
- 9.1.4 All recreational events when combined with educational events still do not add up to 28 days in any one year.

10. Multi-Purpose Forestry Building

- 10.1.1 The Multi-Purpose Forestry Building (MPFB) was applied for in prior notification 0001/17 to provide covered workspace and welfare room. Then subsequently in planning application 0438/17 for the same building but also to include accommodation upstairs. The only difference between these two applications is that the roof has been raised by 0.5m to allow for the dormitory style accommodation upstairs.
- 10.1.2 Both applications have been refused permission and are subject to appeal. APP/J9497/W/17/3191100 is the full planning application appeal and APP/J9497/W/17/3168180 is the prior notification appeal.
- 10.1.3 In this explanation of our need for this structure I will focus on the full application for 0438/17 (being the proposal which includes accommodation).
- 10.1.4 The Multi-Purpose Forestry Building is a key part of establishing the enterprise and to allow the transfer from the temporary facilities to permanent ones. In explaining the vital nature of the MPFB I will address the following points:
- Need
 - Location
 - Function
 - Welfare space
 - Sleeping accommodation and washing facility
 - Covered workspace
 - Design – scale and materials

10.2. Need

- 10.2.1 The multi-purpose forestry building provides multiple functions supporting the forestry activity at Hillyfield. As a whole it will become a single central structure where our forest workers, most of whom are volunteers, will work, sleep, and eat.
- 10.2.2 The proposed building has four elements:
- a welfare space for workers and visitors (5m x 8m)
 - sleeping accommodation for seasonal forest workers (including a wash room) (situated directly above the welfare space)
 - a well ventilated covered workspace (with one open side) (11m x 8m)
 - a secure and dry workspace (4m x 8m). (The two workspaces are intended to be used as one and will be referred to as 'the covered workspace' from here).
- 10.2.3 The Hillyfield benefits from an unusual business model which eschews intensive, mechanised management of the woods in favour of labour intensive methods with coppicing and continuous cover management utilising lighter machinery, horses and manpower. As already set out above, at the heart of this approach is the extensive engagement of volunteer labour. Over 3000 person hours are worked by volunteers on average each year.
- 10.2.4 Direct benefits of this model are that the woodlands are managed in a far more sensitive and ecologically beneficial fashion as the continuous regeneration of the woods is facilitated and heavy machinery is not used in the woods meaning that soil remains un-compacted and ground flora and fauna preserved. The local landscape also directly benefits as the character of the woods is maintained, rather than being destroyed by clear felling², and is enhanced over time as the structure and species mix of the woods improved under active management.

- 10.2.5 There are also direct economic benefits as there is no imperative to extract timber quickly and in large volumes. Timber is therefore extracted on an ongoing basis. Volunteer labour is key to the primary processing which goes on on-site.
- 10.2.6 The basic functions delivered by the proposed MPFB are essential to facilitating the workforce who will deliver the management plan and therefore both conserve and enhance the environment. It will also provide the working space where we can add value to our timber thereby sustaining the enterprise which supports the sustainable management of the site.
- 10.2.7 The woodland, directly adjacent to the forestry hard-standing and the proposed location for this barn, is a designated Ancient Woodland. Recognised as being the most important and protected woodland landscape, ancient woodland has been in existence for many hundreds of years and is the consequence of constant and ongoing management. Woodland management is essential for the health of a woodland, for biodiversity, and additional benefits as made apparent in the Independent Panel on Forestry Report to Government, and the Dartmoor management plan itself.
- 10.2.8 In summary, replacing machines with people at The Hillyfield is an established and proven business approach which has direct benefits to the habitats of the woods, the local landscape, the woodland enterprise and the local economy. The structure we request is essential for our forestry work and to support the effective ongoing management of the holding.
- 10.2.9 The need for the MPFB has been disputed by DNPA on several grounds which seem not founded in fact, but rather a wish to have an easy and tidy way to parcel up and deal with proposals related to rural land management.
- 10.2.10 The nature of the forestry activities at The Hillyfield has been central to discussions between myself and Dartmoor planning officers. DNPA are very familiar with activities at the Hillyfield and have visited the site many times and hold numerous contextual documents for it. (See Appendix App3-3, Vision folder App3-5. App3-6, App3-7, and App3-8.)
- 10.2.11 In the Case Officer and Tree and Landscape Officer's reports recommending refusal for this application, in one breath they commend my 'sensitive and less-intensive methods of woodland management' and then proceed to demonstrate little to no understanding of what it takes in practical terms to establish and maintain a forestry business such as this, despite extensive evidence provided to support our case over a number of years.
- 10.2.12 Whether it is a wilful misunderstanding, or a simple mistake, the case officer's report seems to grossly underplay the absolutely fundamental place that volunteers play in delivering our forestry management plan, and our forestry enterprise. On average volunteers contribute in excess of 3000 person hours each year. The report states just 400 hours.
- 10.2.13 The officer report states that the TALO is a key consultee on the case. She expresses his view that forestry activity is '*seasonal and cyclical*' with '*long periods of minimal or no activity within the woodland*'. This shows a significant lack of knowledge about woodland management and does not reflect the management approach we have here at Hillyfield which, while seasonal in individual activities, is one of year-round work. Our management approach is valid and supported by a Forestry Commission approved management plan, and won 2nd Prize at Devon County Show. (See App App6-4 Mark Prior 2018)
- 10.2.14 Even more surprisingly the TALO suggests that given that the woodland is already 'under active management, the conclusion is drawn that there is no requirement for a building of this type to meet those management needs'. This completely ignores the fact that the work undertaken to restore the woodland from neglect and to actively manage it is entirely due to a voluntary workforce of up to 6 people throughout the year, and to the temporary supporting infrastructure we have installed. (See Section 7 regarding Volunteers)
- 10.2.15 The TALO's argument stretches to say that the development will not respect tranquillity or sense of remoteness of the site, without mentioning the need for the landscape to be actively

managed or the audible and visual presence of the A38 dual-carriageway directly to the South East.

- 10.2.16 In his report the TALO makes reference to the previous prior notification application 0001/17 for an identical building. In this report he appears to wrongly interpret our application as a building to house a sawmill. This is not the case, and even if it were should not pose a problem. National Parks (South Downs National Park) have supported woodland enterprise by granting permission for structures in which to house sawmills so woodland owners can add value to their home-grown timber. (See Appendix App9-11)
- 10.2.17 The Forestry Commission advice to planners indicates that the issue is when a woodland enterprise is processing timber from outside of the holding rather than that grown on site, and when moving beyond primary processing of timber that tips development into an industrial process. (See Appendix App11-1 UKFS for Planners)
- 10.2.18 In addition, the TALO states that *'this is an isolated development with poor links to South Brent or Harbourneford'*. However, this is not a relevant issue when dealing with rural economic activity as it is not possible to relocate woodlands closer to settlements. They are located in the landscape and must be managed where they are.

10.3. Location

- 10.3.1 The proposed location for the MPFB is directly adjacent to the Forestry Hardstanding approved in Planning Application 0040/17 and constructed to facilitate the storage and handling of timber, and the turning of vehicles.
- 10.3.2 Placing the MPFB adjacent to the Hardstanding is ideal as the wood storage and wood processing are the heart of the active operations of the site and the covered workspace and the welfare facilities are most efficiently sited here.
- 10.3.3 This is the ideal location for both the covered workspace, welfare room and sleeping accommodation.
- 10.3.4 The building will take the place of four existing structures used to support our forestry workers. These are:
- The field-kitchen (which currently serves as a welfare space)
 - The covered workspace,
 - The two caravans which serve as accommodation for forestry workers.
- 10.3.5 Replacing the structures above with the barn will result in a slight net reduction in area of ground covered by structures at The Hillyfield. The new barn is a modest structure totalling 160sqm. The structures which would be replaced total 175sqm.
- 10.3.6 To find out what would be the best location for where to carry out the noisier aspects of work at The Hillyfield (such as firewood processing or cutting timber), I carried out a community consultation exercise in December 2012 with local community residents in Harbourneford. A commitment was made with them to move all noisy activities of processing timber out of the quarry, away from the village and further into the woods. This was followed up by a questionnaire that demonstrated the support of village residents for this agreement. The questionnaire results are covered in more detail in Appendix App7-14 neighbour relations.
- 10.3.7 3 letters were written in support of the MPFB application, two of which were from residents in Harbourneford. Subsequently 35 letters of support were submitted for the appeal including representation from another neighbour, 9 previous volunteers, several clients, and at least 4 experts in forestry. (See Appendix App10-6 volunteer letters of support for MPB, App6-11 for letters of support from foresters)
- 10.3.8 The site is approximately central to all work areas on the site and close to the compost toilet and volunteer workers' accommodation. This will prove optimally functional in the working day,

especially when needed for health and safety purposes, or taking quick tea and meal breaks. This will increase productivity of our working day and the efficiency of our business.

- 10.3.9 Overall the building will reduce movement around the site, and also facilitate more productive and efficient work. It will remove the need for the separate covered workspace, currently located in the ancient woodland to the north west, the welfare tent in the meadow, and the two touring caravans sited immediately to the north, siting all of these uses beside the main timber handling area for the holding. An additional benefit will be improved sustainability and efficiency through reduced energy use, as heating will be focussed into one building only.
- 10.3.10 In practical management terms this is also the ideal location as it allows for access to running water, essential for running some of the machines and timber cleaning activities.
- 10.3.11 For the kitchen space, the location allows for access to running water from a spring which runs all year. There is only one other such spring at Hillyfield. We test spring water at Hillyfield annually and it is safe to drink when boiled. Up to now we have not had sufficient solar power to run a filter which would make the water potable at tap. Additional solar power collection would be possible on the barn roof.
- 10.3.12 The location of the building is perfectly suited for a grey-water filtering reed bed which would fit well into the landscape and then drain into the lake. As noted in the officers report this could be dealt with by condition were it considered acceptable. I therefore dispute that in this regard it conflicts with COR strategies. I would have imagined that if this was of concern, clarification could have been requested on application.
- 10.3.13 However, the officer states that ‘the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested’. This seems to go against the earlier suggestion that suitable conditions for surface water could be conditioned should an acceptable scheme come forward. It also seems to be out of keeping with the recommendations provided by the Planning department to a nearby woodland which has recently developed a similar type of building to 0001/17. (See para 13.1.7 – 8 and Appendix App9-13b, and related planning application documents in Appendix App9-13)
- 10.3.14 In refusing the MPFB the officer report made reference to the Beara farm agricultural building nearby which was refused by DNP due to its isolated location and an Inspector dismissed the Appeal (0058/15) stating that the proposed building would stand alone and not relate well to local landscape features, it was unrelated to other building groups, it would not be located to respect local topography so as to reduce intrusive effects and, as a standard building, did not demonstrate an appropriateness of scale and form.
- 10.3.15 Subsequently, a new application was made for a smaller building almost adjacent to the refused building. This was approved, against the TALOs recommendation, due to it having different locational and design characteristics:
- an open fronted timber field shelter
 - on the lower part of the field
 - set against the backdrop of a hedge
 - related better to landscape features
 - related better to topography
 - having a simple form
 - being an appropriate scale
- 10.3.16 The justification given for the approval was:
- whilst still appearing isolated these changes would reduce its visual impact
 - There is a need for the building

- It would not cause sufficient harm to justify its refusal.

10.3.17 It is submitted that the MPFB has also achieved all of these factors and that there is insufficient harm to justify its refusal.

10.4. Functions

10.4.1 The functions provided by the Multi-Purpose forestry building are all essential to the successful delivery of the management plan and the sensitive approach to woodland restoration at The Hillyfield.

Function - Welfare Space

10.4.2 The welfare room is required to provide for the needs of volunteer workers and other workers on site. Its main uses will be for:

- daily meals, tea-breaks etc.
- meetings, inductions & briefings (including site notice board)
- first aid space
- comfortable and (relatively) warm rest space for workers
- electric charging point for personal equipment.

10.4.3 The need for such a space is supported by the European Commission's guide to Protecting Health and Safety for Workers in Agriculture. It is therefore clear that the provision of welfare facilities is a requirement, not a luxury, for forestry workers.

Function - Sleeping accommodation and washing facility

10.4.4 Many of the volunteers working on site do so for periods of several days, weeks or even longer. These volunteers therefore need somewhere to stay overnight. They would make use of the kitchen in the welfare room, and the existing compost toilets, and therefore the only additional facilities required are somewhere to sleep and wash or shower.

10.4.5 Volunteers are vital to The Hillyfield, however it would completely undermine its financial model to pay for them to be put up in local B&Bs or hotels. A cheaper solution is required, hence the need to provide accommodation akin to a hostel on site for volunteers.

10.4.6 As demonstrated in the Section 7 regarding Accommodation for Volunteers, a space for volunteers to stay over on site is absolutely essential, currently provided by the two caravans and the yurt.

10.4.7 These workers stay on site to help with the ongoing management tasks and then move on at an agreed time.

10.4.8 The sleeping accommodation proposed would consist of two dormitory style bedrooms, each equipped with two single bunk beds. This would allow for gender specific sleeping accommodation for single people. This would be able to replace our need for the two caravans we currently use.

10.4.9 As is the case at the moment, the yurt would only be erected when needed for a working couple.

10.4.10 The sleeping accommodation would be serviced by a small shower room, fed by spring water, toilet facilities are proposed to be in the existing compost toilet on the opposite side of the hard-standing.

10.4.11 The DNPA say that our plan failed to demonstrate that foul water could be adequately dealt with. No plan was requested and, as per the officer's recommendation for surface water made in the report, this could be dealt with by condition were the scheme considered acceptable.

10.4.12 There is a spring flowing from the woodland to the lake which will provide the perfect opportunity to install a reed bed to the south of the development as a custom made natural filtering system for all grey water occurring. This would then be able to filter through the lake,

and eventually into the river. This system of filtration through habitat creation is a prime example of permaculture in action as it not only serves the basic function of resolving the problem of filtering grey water, but also serves to create habitat and enhance biodiversity. See Appendix App7-15 for a design of a suitable kind of filtering lake.

Function - Covered workspace

- 10.4.13 A proper purpose built covered workspace with an open sided area and a separate lockable dry work room would support our enterprise immeasurably by providing a multi-functional and adequate working area which would make our work more productive, safe, and allow us to make better use of our timber by adding value.
- 10.4.14 The covered workspace is a place to work under cover, especially during very foul weather. It will be used (as the current one is) as a central space and meeting space for working groups, both volunteer residential workers, and during volunteer days.
- 10.4.15 On a daily basis it will be used for activities such as:
- storage of hand tools including spades, de-barking irons, mattocks, chains, rope, tree-guards etc.
 - re-fuelling of equipment (chainsaw / strimmer)
 - general maintenance activities – sharpening of saws, fixing of tools, jobs requiring work-bench / vice / clamps etc.
 - timber drying space for useful timber for on-site projects.
- 10.4.16 In addition, on occasion and mostly in wet weather it will be used:
- to allow woodland management activities such as stripping wood, sharpening stakes and fence posts, splitting kindling, packing charcoal
 - to make hurdles, tree guards, and Rocket-logs. And to make and fix tool handles
 - for fence-making, gate-making and making other things for use around the site.
- 10.4.17 All of the uses the covered workspace will be put to are ancillary to the management of the woods and the primary processing of timber, both small and large diameter thus extracted from the site.
- 10.4.18 The design of the building is well thought through to allow enough space to handle long lengths of timber and coppice material, to work using hand tools and chainsaws whilst undercover (with plenty of ventilation to allow safe work given the noxious fumes), and to provide a secure lockable room to work in dry and safe conditions on jobs which require protection from the elements such as fixing equipment and tools.
- 10.4.19 Working in the woods for weeks on end in all weather conditions is gruelling and a covered structure is an essential requirement for some activities, especially the working of wood. Most adding value work, especially Coppice work (which will increase at The Hillyfield as the coppice becomes more productive) requires long hours of standing or sitting fairly still whilst working and is not possible to continue in unfavourable conditions outside. Actively worked coppice is highlighted as a key opportunity for Dartmoor in the Landscape Plan as covered in the proof of Lyndis Cole.
- 10.4.20 Carolyn Ledingham, a volunteer who has helped at The Hillyfield for a total of 9 weeks over 3 separate occasions wrote:
- I wish to challenge the other point made by the TALO, that many of the activities stated as uses for the proposed building are not necessary or could be carried out offsite. Primary processing of timber onsite is a valid part of woodland management activities and is an important component of the management plan at Hillyfield. It is widely acknowledged that adding value to timber onsite is a good way of making low-impact, small-scale woodland management financially viable. As such, I would argue that these activities are necessary. Moving them offsite would be*

logistically problematic and add considerable cost in transportation and double-handling of unprocessed timber.

In relation to the landscape impact of the proposed building, I would argue that the management activities carried out in the wood, which the building will support, will help to preserve the landscape features of this valley. Ancient woodland is being restored and brought back into active management, which will help to ensure its long term survival. The building will enable a style of management that uses less machinery and instead brings human workers back into the woods. The landscape of the area has been shaped over centuries by the activities of people living and working on the land. The recent change to mechanisation spans a short time period in this context. Bringing people back to work on the land will continue the human-scale management that is intrinsic to the landscapes of Dartmoor.

(See Appendix App10-1a)

- 10.4.21 The Forestry Commission, although unable to comment directly on the ‘specific planning issues raised in the case’ recognise the need and benefits for us being able to add value to our timber on site. They say:

‘it is not the Forestry Commissions remit to comment on the specific planning issues raised in the case, but’ (we) ‘can only clarify the importance of bringing and maintaining woodlands in management; and the added benefit in this case of locally adding value to the woodland resource, as well as creating benefits of social enterprise working with the local people.’ (my emphasis)

Mark Prior, area head of Forestry Commission (See Appendix App6-4)

- 10.4.22 Having this building will increase and enhance productivity and efficiency in terms of working on the site. It is modest, and yet will provide work area under cover to carry out multiple jobs to make best use of the timber we grow on site.

10.5. Design – scale and materials

- 10.5.1 The MPFB is of a simple traditional wooden framed construction with a pitched roof over wooden clad sides. The design is typical of farm buildings found in the area prior to the ubiquitous steel framed wide span modern agricultural buildings took over. Such modern structures are now prominent in the local landscape but are accepted as necessary for modern farming needs.
- 10.5.2 To treat a traditional style farm building constructed from local wood as an alien element in the landscape suggests something is very wrong with the LPA’s view of the local landscape. Wooden stables are frequently seen in the area in much more prominent locations and are clearly more acceptable to the LPA than a working building on a forestry holding.
- 10.5.3 The scale of the building at 15m x 8m is small compared to many modern agricultural structures in the area and particularly those 200m downstream from this site at Marley Farm. The scale and form of the MPFB are entirely dictated by the purposes the building is intended for.

11. Wood Drying Barn

- 11.1.1 Planning application 0259/15 and ensuing appeal App/J9497/W/15/3140928 address the development of two barns for forestry purposes. The machinery storage barn 14.3m x 13.6m and the proposed wood-drying barn (24.6m x 7.9m). This section deals with matters relating to the wood drying barn and the following section will deal with the machinery storage barn.
- 11.1.2 A wood-drying barn will provide a dedicated timber-drying space to stack and store planks, firewood, and other timber related products arising from our woodland management at The Hillyfield.
- 11.1.3 A timber-drying barn is absolutely essential to the viability of our forestry enterprise, and in sustaining the ongoing management of The Hillyfield.
- 11.1.4 The quarry is the preferred location for the storage of timber and machinery connected to our forestry enterprise. This is with the express purpose of using the quarry for storage and keeping the noisier aspects of our work away from the village and neighbours as per the community consultation we carried out in 2012.
- 11.1.5 The Wood Drying Barn (WDB) is a key part of establishing the woodland enterprise and to allow the transfer from the temporary facilities to permanent ones. In explaining the vital nature of the WDB I will address the following points:
 - The Situation at the Hillyfield
 - Details of the Barn
 - Size and use
 - Design
 - National Context
 - Local Context
 - Expert Support
 - Public Support

11.2. Situation at Hillyfield

- 11.2.1 The economics of small woodlands are covered in section 5.1 (Big Picture) and in supplementary evidence provided by expert foresters (See Appendix App6-6 by Chris Marrow, Appendix App6-9 Timber Strategies, and Appendix App1-2/3/4Guy Watt).
- 11.2.2 Our business case and planned performance is covered in Section 5, and the limits to existing infrastructure is detailed in Section 6
- 11.2.3 Simply put, a timber drying barn is essential for us to be able to sell timber direct to the local market. Adding value to the timber we grow is not a luxury. It is not simply 'preferable' for our operation. It is an essential element to sustain the enterprise and for the successful delivery of our management plan.
- 11.2.4 We sell Firewood and Milled Timber, coppice products, and charcoal, all of which must be sold clean and dry to find a market.
- 11.2.5 Timber sold includes soft-wood (at present larch and Douglas fir, and in future to include other species), and a variety of hard woods from thinning operations and future yield from woodlands planted or replanted. Also coppice products (hazel, sweet chestnut, hornbeam and small leaved lime), and willow.
- 11.2.6 When fire wood is sold good and dry, word of mouth is the best advertising for our firewood sales. When it is not sufficiently dry, making a sale can irreparable damage a whole network of

customers. In a small and well-connected community like South Devon, this can have serious consequences to business.

- 11.2.7 In order to satisfy the concern expressed by the Authority that timber production was only limited to the duration of processing the larch felled due to disease I commissioned Rupert Lane Woodlands to carry out a detailed mensuration of our woodland stock to confirm the timber yield and profitability of our business over the next 20 years, and to predict as best as possible the ongoing sustainable yield of the woodland holding as a whole. (See appendix App7-3). This has been detailed in the section on the Forestry Enterprise at Hillyfield (See Section 5)
- 11.2.8 In this report on timber yield and products made at The Hillyfield, Rupert Lane, states:

Appropriate condition and quality can only be achieved for 95% of the products through appropriate drying and storage. The only exceptions being willow whips.

See Appendix App7-3

- 11.2.9 Regarding our need for a timber drying barn, Rupert Lane explains that
‘Substantial rainfall 996mm falls in the South Brent area on SW slopes of Dartmoor in the form of light persistent drizzle over long periods of time or heavy downpours readily re-wetting air-dried timbers’.
- 11.2.10 Rainfall in the area is exceptionally high, and the weather on Dartmoor is famously changeable.
*‘Fust it rain’d then it blaw’d
Then it ‘ail’d then it snaw’d
Then it com’d a shower o’ rain
Then it vreez’d an blaw’d agean.*

Borrowed from the website ‘Legendary Dartmoor’ with pictures to illustrate the changeability of weather within one hour on one day.



- 11.2.11 A permanent wood-drying barn is the only effective solution to prevent wetting, staining, and rotting of timber stored. This is covered in Sections 6.2.26 and 6.3.3 describing the inadequacies of other methods.
- 11.2.12 Jeremy Ralph, director of Timber Strategies is currently working alongside Exmoor National Park and the Woodland Trust to deliver an 8 month programme to increase resilience and

sustainability of woodland on Exmoor. He has visited Hillyfield to discuss possible grant funding for the construction of the timber drying shed, as well as featured on the BBC Radio 4 Farming Today programme discussing the need for Timber drying barns at the Hillyfield. In December 2015 he wrote:

‘We are convinced of the need for a small in-forest development at Hillyfield to make the management of the woodland viable. Hillyfield at 11ha fits into what we would consider worth investment in silviculture and processing.’

- 11.2.13 Specifically addressing the need for a wood-drying barn as opposed to the use of sheeting to cover firewood stacks Mr Ralph says:

‘Firewood must either be sold as seasoned or un-seasoned, with unseasoned firewood having limited markets and low returns. To season properly to required moisture content within an economical time frame requires dryness and air movement in equal measures and unlike continental climates characterised by long dry spells this is almost impossible to achieve in southern England by in-forest stacking. Whilst covering a stack with tarpaulin or tin sheeting partially fulfils the dryness requirement it does not promote air movement, encourages high humidity and leads to rotting rather than drying. In contrast a 3 sided barn with well spaced bays and spaced boarding is not only dry but promotes air movement ensuring that timber seasons well and quickly.

See Appendix App6-9

11.3. Details of the Wood Drying Barn

Size and Use

- 11.3.1 The barn has been designed to provide for the minimum of our timber drying requirements, whilst improving on the current inadequacies of our forestry infrastructure. Ideally, we would have a larger structure to adequately cater for all our drying needs but being conscious of the LPAs constant requirement that the barn should be the minimum size possible we have limited the scale in an attempt to be acceptable to them.
- 11.3.2 The proposed wood-drying barn is a timber framed structure, open-fronted and measures 7.9m deep by 24.4m long. The eaves measure 3.6m and the highest point of the pitched roof is 5.7m. It has three ventilated walls and is designed specifically for the drying of timber.
- 11.3.3 The proposed drying barn allows for six 4m bays 7.9m deep with slatted vented sides allowing for storage of:
- 2 bays of firewood 52m³ allowing air gaps between stacks (max height 2.0m) and room for a vehicle to back into each bay for manual loading.
 - 1 bay of rocket logs 20m³ (max height 2.0m where supported)
 - 2 bays of planked timber in stick (spacers between each plank to assist drying) with space to allow for manual selection from side racks in each bay allowing for storage of 70m³ in stick for several years, this is not an annual through put.
 - 1 bay for charcoal, hazel and willow rods and additional long-term space for planked timber boards of varying thickness and widths. Potential for coppice products to require additional space if business plan is accurate and new markets are sustained.
- 11.3.4 Once coppice stools are in full production from around year 20 onwards a portion of one of the firewood bays will be taken up with coppice products.

- 11.3.5 The small size of the barn will require a regular flow of material through it as space will be at a premium, particularly firewood sold in its second season from cutting to ensure minimal moisture content and thus burning efficiency. Hardwood planks could be in situ for as much as 5-8 years. 3 years is the generally considered minimum drying period, the old adage of a year per inch plus a year rarely being adequate.
- 11.3.6 Timber measures show that significant volumes of round wood timber will still require storage outside and under covers before being moved into the barn for final drying prior to sale. Hard standing has been provided for ease of management of this and to prevent further deterioration of harvested material prior to stacking in barn.

Design

- 11.3.7 The barn will be constructed entirely from timber on site except for the roof cladding. It will be timber framed with wooden slatted sides. The slatted sides are essential to allow free circulation of air to dry timber. Firewood stored is to allow for proper seasoning of enough timber to satisfy our clients.
- 11.3.8 Every year so far we have consistently run out of saleable wood due to not having enough storage space, and in two separate years we have had to cease selling our wood because of the timber available being too wet given the inadequacies of using temporary wood shelters to cover firewood. Selling wet firewood is a sure-fire way to lose customers, and word of mouth is the most powerful vehicle for firewood sales.
- 11.3.9 This is also true for the planks we sell. Planks require to be seasoned for extended periods of time to reach the correct level of moisture content, even more so for hardwood planks.
- 11.3.10 Without permanent covered storage the planks are prone to becoming wet through drip-lines, or corrugated tin covers being blown free from stacks. This causes unpleasant blue-black staining, and ultimately rot. Stained or rotten timber is not saleable. In contrast, timber planking properly stacked using thin wooden spacers to allow constant air-flow, in a properly dry wood-drying barn becomes a quality desirable product which local businesses want to buy.
- 11.3.11 Up to now my processing of mill-able timber into planks has been significantly held back due to not having suitable storage. The risk of damage due to staining is not worth the investment in milling the timber. Accordingly, I have been cutting to order where a customer has a workable lead-in time, but this means that I have missed many orders due to not having stock to sell on demand. This problem has been compounded by the amount of work directed towards planning issues and this appeal.
- 11.3.12 The need for barn dried planks is demonstrated in letters supporting our appeal sent in by local businesses who want quality locally grown timber. (See appendix App7-9 business support)
- 11.3.13 Woodland restoration, and the ongoing management required is costly in both time and finance. Relying solely on round-wood sales will force us to operate at a loss. We need to be able to add value to our timber through properly drying our product in a properly designed permanent wood drying barn.

11.4. National Context

- 11.4.1 The National Context supporting woodfuel and timber production and small-scale woodland restoration and management will be addressed in the proof of Mr Guy Watt.
- 11.4.2 In 2012, Mark Prior, South West Area head of the Forestry Commission wrote in support of our wood-drying barn application framing his reasons for support specific to The Hillyfield and also in relation to Forestry Commission guidance and national policy.

'The Forestry Commission published the Woodfuel Strategy and Woodfuel Implementation Plan (see <http://www.forestry.gov.uk/forestry/INFD-6PGGQR>) which outlines the social, environmental and economic benefits of bringing our woodlands into management, over 50% of which in the South West are not in management.

*Mr King-Smith's woodfuel business fits well with these aspirations. In addition to the production of woodfuel, which provides an outlet for coppice and lower quality material, he will also be producing sawn timber from the better quality stems. **Mr King-Smith's proposals for machine storage and also woodfuel and timber drying appear to be appropriate and consistent with the woodlands he is managing.** In terms of drying, it is crucial to the quality of the woodfuel that it is properly seasoned, which means at least a year or more covered, and for significantly more than this if air drying sawn quality hardwood timber.'* (my emphasis)

(See Appendix App6-5 Mark Prior Email)

- 11.4.3 This letter of support, despite being a key justification of need submitted by a non-statutory consultee on development taking place within 50m of Ancient Woodland, has never been uploaded to the DNPA digital records or their website. Even though I contacted the case officer, and so did my planning agent, our efforts to have this resolved has not been met with success. The same is true for the letters of support written by members of the public towards our appeals. Something like 120 letters have not been uploaded onto the DNPA website.
- 11.4.4 The failure to present information supplied with my applications, either to the public on the website or to officers within DNPA, seriously misrepresents my proposals and may have affected the officers' attitudes and the outcomes of the applications.
- 11.4.5 Support from the Forestry Commission is continued and is reflected in a letter of support sent on 2nd March 2018. Mark Prior brings the relevance of our work up to date by re-confirming our essential need for wood drying barn and machinery store, and our support of a Woodland Culture in the UK. He writes about the Government's 25 year Environment Plan;
'The Government's response saw that if we are to develop a new wood culture then it "needs to be built from the ground up and must be based on the needs, interests and enthusiasm of local people". The activities planned at Hilly Field Wood appear to be addressing this need, however it is not the Forestry Commissions remit to comment on the specific planning issues raised in the case, but can only clarify the importance of bringing and maintaining woodlands in management; and the added benefit in this case of locally adding value to the woodland resource, as well as creating benefits of social enterprise working with the local people.'

See Appendix App6-4 Mark Prior 2018

- 11.4.6 Simon Lloyd, Chief Executive of the Royal Forestry Society, says in his letter dated 6th February 2018,
'Managed woods contribute to the local economy, supporting jobs throughout the timber and woodfuel supply chain. Woodland owners will not manage woods unless there is a clear financial incentive. There is no conflict between responsibly managed activities which ensure the woodland remunerates the owner and enhancing biodiversity and conservation value. Small scale woodland operations require a creative and entrepreneurial approach to make them pay. By contrast neglected woodlands smother life, foster pests and disease and represent a lost economic opportunity.' (my emphasis)

'These are reasons why government aims to increase the proportion of woodland under management in England from the current 58% to 80%, and has a range of grants and incentives to support this objective'
- 11.4.7 Regarding the forestry need for a wood drying barn he goes on to say:

‘Investment in infrastructure to store and process timber and woodfuel is essential to secure the best markets and prices for wood products, no different from agricultural products.’

See Appendix App6-7 RFS letter

11.4.8 Jeremy Ralph, director of Timber Strategies wrote;

‘We understand that the planning authority considers firewood processing and sawmilling to be an industrial process rather than forestry process.

In contrast the EU Considers all primary processing of wood to be within the realm of forestry enterprises. This is most clearly spelt out in the ongoing Rural Development Programme and European Rural Development Framework which specifically puts primary breakdown of timber into the forestry sector for funding purpose.

Firewood Production and sawmilling of logs to planks come under the forestry and forestry contracting priorities of the programme whilst any further processing (i.e. Kiln drying) would be considered industrial. The same would apply to production of charcoal that would be considered primary processing rather than industrial.’ (my emphasis)

11.4.9 Further rationalization of the need for a wood drying barn in terms of sustainability criteria is explained here:

*‘The Hillyfield proposal is to break this uneconomic cycle by installing small-scale in-forest facilities at the site. Costs of transporting low value material become zero and only the costs of transport of added value product (firewood and sawn boards) is borne. Rather than receiving negative margins through the sale of Roundwood a surplus is made through sales of firewood and boards which can be reinvested into the woodland. **This is the type of investment being encouraged by the European Union through the RDPE, by the Forestry Commission and by NGOs seeking to increase the amount of well managed woodland in England.**’ (my emphasis)*

See Appendix App6-9 Timber Strategies

11.4.10 Alexander Reed, the Woodfuel certification manager for Woodsure (the UK’s only woodfuel certification scheme) wrote in support of our wood drying barn;

‘The use of a storage shed or open sided barn to store and season firewood is an industry standard...

The industry standard for seasoned firewood is less than 25% moisture content. Both the European (EN 14961-5:2011) and International (ISO 17225-5:2014) standards for woodfuel state firewood should be 25% or below. Stove manufacturers will specify this in their guidance and some even state that 20% moisture is needed to properly utilise the product. As part of our certification scheme, we require the producer to have control over the moisture content. An auditor would have serious concerns if a producer did not have a suitable location to store product.’

See Appendix App11-13 Woodsure Letter

11.4.11 This shows that not only do we require a barn to effectively sell wood to clients, but without a barn we would be much less likely to be able to benefit from participation in the Woodsure certification scheme for industry approved firewood.

11.4.12 National Parks England also encourages support for;

‘Woodland product initiatives, designed to support the production, processing and marketing of high quality timber, coppice and other woodland products. This includes supply chain and quality assurance/certification activities.’

And,

‘Wood fuel initiatives, designed to support the development of the wood fuel sector in National Parks. This includes business and marketing support, technical advice, and grants for equipment and boilers (see Case Study 3).’

11.4.13 In fact, The Hillyfield failed to receive funding towards our timber drying barn and machinery store, principally because of not being able to prove we had permission to build the barns.

11.4.14 In addition, and relevant to all of the barns applied for, Government guidance from the Ministry of Housing, Communities and Local Government regarding Natural Environment, Biodiversity and Ecosystems is explicit in advising Local Planning Authorities that there is a:

‘statutory basis for planning to seek to minimise impacts on biodiversity and provide net gains in biodiversity where possible’

(taken from the government website www.gov.uk/guidance/natural-environment)

11.4.15 Our project and the infrastructure we use and have requested can be seen to be just this given that it is delivering on Government targets of restoring woodland from neglect, supporting the development and management of priority habitat such as coppice, and enabling the management of the woods in a manner which is dedicated to enhancing biodiversity.

11.4.16 The advice given goes on to say that:

Section 40 of the Natural Environment and Rural Communities Act 2006, which places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making throughout the public sector, which should be seeking to make a significant contribution to the achievement of the commitments made by government in its Biodiversity 2020 strategy.

Local planning authorities should take a pragmatic approach – the aim should be to fulfil statutory obligations in a way that minimises delays and burdens.

11.4.17 Clearly biodiversity benefits and the minimising of delay and burden has not been a consideration when assessing the planning applications submitted to support woodland management at The Hillyfield as delays and burdens have been extensive, and the planning decisions made serve not only to refuse development which is specifically designed to enable biodiversity gain, but also remove development which has been essential to help us achieve this so far.

11.5. Local Context

11.5.1 The Local Policy context is dealt with in the Proof of Evidence provided by Mr Shorten.

11.5.2 To demonstrate where our proposal for the wood-drying barn and other necessary development fits with the Dartmoor National Park Management Plan, our woodland advisor Mr Lane included

in the Forestry Commission approved Woodland Management Plan for The Hillyfield details of the benefits of our management approach in a local policy context specific to Dartmoor National Park (see Appendix App7-16)

- 11.5.3 This document was supplied with our application for barns to help LPA officers understand the context and benefits of our approach to small-scale woodland management, which support, rather than hinder the National Park Purposes and Plan
- 11.5.4 For a full list of Local Strategy delivered in our woodland management approach please see Appendix App7-16

11.6. Expert Support

- 11.6.1 The principle of the need for a wood drying barn to support our woodland enterprise is reflected in written expert support from across the forestry industry as well as in forestry press and publications.
- 11.6.2 In 2009, before purchasing the Hillyfield, the results of the preliminary enquiry was that a timber-drying barn would be met with support. (See Appendix App3-2)
- 11.6.3 The Senior Woodland Officer for Dartmoor National Park made a strong case to explain the benefits that forestry barns would provide in supporting continued woodland management at Hillyfield and also how they would contribute towards the National Parks aims and objectives.

‘Small scale processing may well be the answer to secure the long-term future of the woodland by adding value to low grade products on site, and thus placing a value on what currently would be a cost operation. I suspect in the absence of this type of approach the woodland will fall further into decay and some of the benefits gained through the project involvement could be lost very quickly’.

(from internal DNP email R.Lane to Daniel Janota 18th June 2009, See Appendix App1-2)

- 11.6.4 This understanding lends weight to the phrase *‘the wood that pays, stays’*. It also shows that no matter how much government funding or personal investment has been poured into bringing a woodland back into management, the benefits gained will be quickly lost if the woodland enterprise is not supported and management has to stop.
- 11.6.5 Only with properly dry timber, can we be financially viable and contribute to the local and national strategies of supporting the woodland economy by bringing local timber to the local market.
- 11.6.6 On application for the timber drying barn and machinery store, the case officer and TALO determined that a timber-drying barn is not reasonably necessary for forestry activity at The Hillyfield. Furthermore, in their statement of case the Authority stated that:
‘There are no material considerations sufficiently weighty to override these policy considerations, nor is there any exceptional overriding justification’
- 11.6.7 This being despite having been furnished with extensive professional expert opinion and reference to local and national policy and guidance.
- 11.6.8 Detailed forestry expertise supporting our need for the barn has been provided in letters from the Forestry Commission, and John Clegg Consulting Ltd., identifying the wood-drying barn as necessary.

- 11.6.9 Guy Watt of John Clegg Consulting Ltd provided a professional report detailing the national policy context, economic necessity and local benefit, a local appraisal of south west woodlands, and analysis of our need for a timber drying barn at Hillyfield. He concluded:
- 'I would certainly recommend the construction of a drying shed for your firewood and timber. This will then allow you to develop markets for your woodland's produce as customers expect wood at moisture contents of about 25%. A covered area or barn will therefore allow you to add value to your woodland produce.'*
- See Appendix App1-3 Guy Watt letter 6th May 2016.*
- 11.6.10 Mr. Marrow, a Fellow of the Institute of Chartered Foresters and ex area head of the Forestry Commission for 33 years, points out in his report:
- 'The key to profitable management of small woodland lies in adding value to the raw material – timber' ... requiring 'Covered space for drying milled timber'.*
- 11.6.11 Mark Prior, area head of the Forestry Commission states;
- 'the Forestry Commission is supporting his woodlands through the EWGS. In addition to the production of woodfuel, which provides an outlet for coppice and lower quality material, he will also be producing sawn timber from the better quality stems. Mr King-Smith's proposals for woodfuel and timber drying, as well as machine storage appear to be appropriate and consistent with the woodlands he is managing'.*
- See Appendix App6-4 Mark Prior 2018*
- 11.6.12 Finally, in our planning application process, following the original refusal of wood-drying barns and a machinery store in prior notification (0297/12) made in 2012, I was recommended to re-apply for prior notification for the wood-drying barn alone as this would likely be supported, but that I would need to re-apply under full planning permission for a machinery store. However, in 2015, following the initial refusal of the prior notification for a wood-drying barn and machinery store I was given the opposite advice – that should I re-apply for a machinery store under permitted development then it would be supported, but that I would have to apply for full planning permission for a wood-drying barn. This advice was clearly at odds with their previous advice and very confusing.

11.7. Public Support

- 11.7.1 There was overwhelming support from our customers and wider local community when we were refused permission for the barns. Over 100 letters were written in, however none of these letters have been made available on the DNPA website connected to our application or appeal. In the most recent appeal, only three of over thirty letters from interested parties have been made publicly available online.

12. Machinery Store

- 12.1.1 Planning application 0259/15 and ensuing appeal APP/J9497/W/15/3140928 address the proposed Machinery Store to be located in the quarry along with the Wood Drying Barn.
- 12.1.2 In explaining the issues related to the need and appropriateness of a machinery store at the Hillyfield I will address the following matters:
- Location
 - Size and Design
 - Need

12.2. Location

- 12.2.1 The Machinery Store is proposed to be located in the corner of the quarry, located close to the timber drying barn.
- 12.2.2 The quarry is the preferred location for the purposes of storage connected to our forestry enterprise. This is with the express purpose of keeping the noisier aspects of our work away from the village and neighbours as per the outcome of the community consultation we carried out in 2012.
- 12.2.3 As well as a suitable hard surface, it is also well screened, and located outside areas of flood risk.

12.3. Size and Design

- 12.3.1 The building will be constructed as per the drawings submitted, with a timber frame and exterior timber boarding. All materials apart from the roofing and hay bale wall infilling will be home-grown timber from The Hillyfield. Straw bales were proposed to reduce any noise disturbance from the occasional maintenance of machinery within the barn as well as to provide a suitably dry environment for equipment
- 12.3.2 Externally the building measures 10.29m x 14.26m. Internally the usable floor space is 8.83m x 12.8m. The eaves at the southern elevation toward the proposed timber drying barn are at 3.1m, and the height of the building is 6.45m. On the southern side there is a 3 metre overhang.
- 12.3.3 A high level window will allow natural light to enter the building thereby requiring less electric lighting. A small roof mounted solar array will provide all necessary electricity.
- 12.3.4 The building will store the machinery we use in our forestry activities at The Hillyfield. This is demonstrated in a scale drawing, similar to the hand-drawn one provided to the case officer on her visit to the site, and subsequent meeting. See Appendix App7-12a of the scale drawing for the equipment which needs to be kept secure and out of the elements within the Machinery Storage Barn.
- 12.3.5 As can be seen from the scale drawing the size of the store is only just big enough to park all large machinery within it. This will inevitably create some inefficiencies when needing any particular piece of equipment. However, the size of the building has been deliberately kept as small as possible to satisfy the LPAs requirement that only the minimum size is acceptable.
- 12.3.6 A list of forestry machinery and equipment to be stored in the machinery store can be seen in Appendix App7-12b. This details equipment which we use to support our working of the woods. For example, machinery we must protect includes our tractor, forwarder, firewood saw-bench, Honda quad bike, generator, logging arch etc. In terms of hand-tools there are chainsaws, a strimmer, sharp tools such as slashers, axes, and scythes. Equipment like an oxy-acetylene welder, and many woodland management tools such as loppers, saws, hand-tools, matting etc. etc.

12.3.7 Given the extent of machinery and equipment we regularly use in the woods it seems inconceivable to imagine that it would be possible to bring machinery to site in the back of a car as has been recommended by the TALO on several occasions.

12.3.8 Mr. Watt, in his detailed letter of support for our application for prior notification (0259/15) for this machinery store wrote:

'To implement your proposals you will inevitably need equipment and machinery. As you plan to use equipment and machinery you already own, and have on site, this will save contractors bringing in similar equipment on local roads every time you need to complete an operation.

'I have looked at the list of equipment that you have, which you sent me, and this seems entirely appropriate for the operations you are proposing to undertake, except for perhaps two quad bikes.'

See Appendix App1-3 Guy Watt May

12.3.9 It should be pointed out that only one quad bike now remains on site and this is used to tow the logging arch (a low impact method of extracting felled timber from the woods) and for reaching far flung parts of the site in a timely manner, such as an emergency situation.

12.4. Need for Machinery Store

12.4.1 Forestry machinery and equipment is essential to the ongoing management of the land and delivery of the Forestry Commission approved Woodland Management Plan.

12.4.2 In a low profit enterprise such as forestry the large amount of capital invested in the essential machinery and equipment must be protected by looking after the machinery and preventing unnecessary devaluation.

12.4.3 There are four key reasons that we need a secure machinery store;

- Protect our equipment from the extremes of weather experienced on Dartmoor
- Keep machinery safe from theft and tampering
- Resolve health and safety issues of unsecured machinery
- Provide a safe working space to maintain machinery on site

Weather Protection

12.4.4 The inadequacy of current storage solutions for machinery and equipment has been expressed in section 6.2.28

12.4.5 Weather on Dartmoor is notoriously unpredictable. Persistent rain and exceptionally high levels of rainfall are regularly experienced.

12.4.6 Tony Sams, owner of AS Agri who have helped maintain our machinery states:

'I confirm that the machinery and equipment at The Hillyfield is suffering from unnecessary damage due to being at the peril of the elements and at risk of theft. In my opinion, a machinery store and a workshop at the Hillyfield would reduce the cost of repair to the machinery significantly, increase the lifetime of your equipment and allow yourself to carry out repairs as needed'.

(See Appendix App10-5)

12.4.7 Mr. Watt in his letter of justification of need dated 6th May 2015 stated:

'I understand that a significant amount of this equipment is presently stored outside under temporary tarpaulin covers. The present arrangements are certainly not the way to maintain forestry equipment in sound working condition and the present arrangements are likely to

shorten the life of both equipment and machinery. I would therefore have no hesitation in supporting your application to build a store to protect all your machinery and equipment’.

See Appendix App1-3 Guy Watt May

- 12.4.8 I have invested over £52,000 in machinery and equipment, supplemented in part by grant support from the Farming and Forestry Investment Scheme led by DEFRA through the RDPE. It seems entirely unreasonable to have been forced into a position where this equipment is being degraded unnecessarily and the temporary measures I have in place for storage of smaller items of equipment are being enforced against.

Security from theft and tampering

- 12.4.9 The equipment we use needs to be kept safe from theft and tampering. The Police advise that there is an increasing risk of theft from farms and smallholdings and recommend all items of machinery and equipment should be securely locked away when not in use. Some organised gangs are regularly stealing equipment to order.

- 12.4.10 In his report following visiting The Hillyfield, Mr. Marrow says in the section on

‘Justifiable requirements for profitable woodland management’:

‘Secure on-site storage is necessary to guard against pilfering and theft. It is prudent to incorporate provision for workshop space to effect basic repairs.’

See Appendix App6-6

Safe maintenance space

- 12.4.11 The proposed machinery store will allow us to store our equipment in a safe, dry and clean environment with a dedicated space for maintenance and repairs. This will improve the current situation of overcrowded storage and maintenance of machinery in the wet, an environment which is far from ideal and could, if any spills of oil or diesel occur cause unnecessary damage to the environment.
- 12.4.12 This is supported by the Health and Safety Guidance document ‘Protecting Health and Safety of workers in agriculture, livestock farming, horticulture and forestry’ section 14.9 (See Appendix KD12 H&S of workers in agriculture)

Health and safety issues

- 12.4.13 Given that we occasionally open our woods to the public, it is important to protect equipment from tampering, and public from risks of injury by playing in our machinery.

- 12.4.14 Mr Watt, in his letter of justification of need stated:

‘While I have no idea about the security and safety of your present storage arrangements for equipment and machinery, but I would have thought there was a case for building a covered store which can be locked to prevent anything being stolen and to prevent anybody hurting themselves if they illegally start playing with or using your equipment. To me I would have thought there was a necessity for a lock-up building or store for Health and Safety reasons alone’

See Appendix App1-3 Guy Watt May

- 12.4.15 In a letter dated 11th December 2015 Jo Burgess stated:

Barn 1 (14x10) – to store forestry machinery and equipment

‘Our advice would be to submit a prior notification application. You should include proof of need in the form of the annotated plan you shared with me at our meeting on 12 November and a site plan clarifying the buildings or structures existing on site which would be removed if the building is constructed. On the basis of the information you provided from John Clegg Consulting Limited

dated 20 August at our meeting on 12 November it is likely that officers would now be in a position to confirm that it would have no objections to such a building within the quarry’.

(See Appendix App3-20)

12.4.16 The material provided on 20th August from John Clegg Consulting Ltd. did not provide any new evidence on our need for this machinery store, all of which, along with the annotated plan, had already been submitted with our Prior Notification application (June 2015), which had been refused.

12.4.17 However, despite this apparent indication of support on 11th December 2015 such support is not carried forward in the DNPA statements of case that argue that no structures are considered reasonably necessary for forestry. 6.2 says:

‘The Authority will bring evidence to show that there is no reasonable need or requirement for a building for forestry on the land.’

13. Examples of other approved Forestry Barns

- 13.1.1 A small selection of forestry barns are given here as examples of buildings which have either been approved mostly through Prior Notification or on Appeal. Many of these examples are within National Parks or AONBs

13.2. Fingle Wood - Dartmoor National Park (0291/14) and (0408/16)

- 13.2.1 A forestry barn was approved via Prior Notification in May 2014 by DNPA for 'Storage of forestry tools, secure tool vault, trailers etc.' as a general use building to be used for forestry. This was to replace a derelict 1930's structure within a designated Section 3 woodland. (see Appendix App9-10-1)
- 13.2.2 The officer report concluded that it 'will not have an adverse impact on the character and appearance of the site' despite being 25m from the highway.
- 13.2.3 It was also reported 'that the development is likely to improve the economic, social and environmental conditions of the area'.
- 13.2.4 A subsequent full planning application made in July 2016, was approved by DNPA to extend the barn to include a shelter and meeting space for educational visitors and volunteers at the site together with welfare facilities. It was also noted that this would also be used for a mobile saw mill when required. (See Appendix App9-10-2)

13.3. Higher Druid Farm - Dartmoor National Park (0172/10)

- 13.3.1 A Forestry Prior Notification for a tractor shed and tool store was approved by DNPA in April 2010 along with a 'Pole Barn' for wood processing and dry storage of woodland products, and additional 'Potting Shed' with covered area for coppice craft. The advice given prior to the application was that the buildings should be sited against the backdrop of the woodland to diminish their visual impact. (see Appendix App9-12)

13.4. Delamore Estate – Dartmoor National Park (0626/16)

- 13.4.1 A Prior Notification for a forestry barn was approved by DNPA in December 2016. This contained machinery storage and the making and storage of wood products from on-site timber. (see Appendix App9-13)
- 13.4.2 The original application sought a barn to be used for machinery storage, maintenance workshop, dry storage of wood products, office space and welfare facilities. The original application was refused but in a response to that proposal, in an email of 26th August 2016, (see Appendix App9-13b) James Aven (Enforcement Team Manager) gave the following advice to the applicant's solicitor:

'I have taken legal advice on this matter and am now in a position to formally respond.....

The Authority would wish to take a balanced approach to such applications and if the main or primary use of the proposed building is to produce and store a suitable biofuel from the estates own woodland, to be used in the estates own biomass boiler, this would appear to be reasonable justification for the building.

Provided that the land is brought into use for forestry purposes for at least 30 days beforehand, I believe that the Authority would support a fresh prior notification for an appropriately designed forestry building in which approximately 75-80% of the floor area is to be used for storing biomass woodchip, tractors & tools and to operate a modest workshop for the maintenance of tools & equipment used on the estate, with the remaining floor area being used as a small estate office, toilet and rest room facility.'

13.5. CassHow Wood, High Lorton, Cockermouth, Cumbria – Lake District National Park (7/2017/2334)

- 13.5.1 A Prior Notification was approved by LDNP in February 2018 for 'Secure storage for forestry related products/equipment and agricultural machinery'. The shed measures 10.8m x 19m to serve a 7.08ha holding. The officer report states 'The siting of the proposed building is acceptable. Due to the topography of the land the building would not be visible from public vantage points. The development is further screened by an area of woodland which surrounds the site. (See Appendix App9-19a for the officer report)

13.6. Park Grounds Cottage, Clay Hill, Lyndhurst – New Forest National Park (12/97531)

- 13.6.1 A Prior Notification was approved by NFNP in June 2012 for a workshop/store for forestry purposes, described as being used to storage and maintenance of plant and equipment used for forestry. (see Appendix App9-14a)

13.7. Bellus Wood, Exbury – New Forest National Park (17/01033/PN)

- 13.7.1 Bellus wood is a 3.5acre holding and part of a larger woodland area. A Prior Notification application was approved in January 2018 for a forestry equipment storage building and dry store for woodland products. (see Appendix App9-15a)

13.8. Pathfield Wood, Lodsworth, West Sussex - South Downs National Park (SDNP/17/03922/APNB)

- 13.8.1 A Prior Notification for a partially open sided building to house a mobile sawmill for use with timber milling in the woodland estate. It was recognised that the land was in use for forestry purposes and the building was reasonably necessary for that purpose. Approved August 2017. (see Appendix App9-11a)

13.9. The Old Rectory, Doynton - South Gloucestershire AONB (PK14/4524/PNA) & (APP/P0119/W/15/3003480)

- 13.9.1 Prior Notification for a forestry building to store forestry vehicles and equipment was refused by South Gloucestershire in December 2014 but subsequently allowed on appeal. (See Appendix App9/16a for appeal decision)

13.10. Furnace Wood, Little Trodgers Lane, Mayfield. High Weald AONB (WD/2017/7043/AD)

- 13.10.1 Prior Notification for an 'open fronted pole barn and attached workshop / store' of 15m x 10m in a 5.5ha holding, to be used for the processing and storing of logs and secure storage of machinery. in a site of Archaeological Interest and within the High Weald AONB, 100m north east of a Scheduled Monument. (See Appendix App9-18)

13.11. Oxlodge Woods, Gorsley, Herefordshire (DCSE0009/1956/S)

- 13.11.1 Oxlodge woods is a 10ha woodland undergoing restoration. A Prior Notification for a barn for dry storage of wood products and equipment was approved in October 2009. (see Appendix App9-17a). The benefits of this barn can be seen by achievements of this woodland restoration project described in App1-7)

14. Enforcement Notices

14.1. Enforcement Notice (1) (3146596)

- 14.1.1 Enforcement Notice 1 alleges a change of use '*from agriculture to a mixed-use of agriculture, residential, recreational, and the running of courses and activities available to the public, with or without payment*'. The Notice also specifically alleges the siting of caravans for residential purposes, the siting of a yurt for residential purposes, the use of two lorry bodies for storage purposes, the siting of a tent used as a field kitchen, and the siting of a tent used as a covered workspace.

Change of use

- 14.1.2 There has been no change of use to the base forestry and agricultural use at The Hillyfield through educational or recreational activities. This is substantiated in evidence I have provided in Sections 4 Management approach and 8 Educational Courses.
- 14.1.3 I have made it explicitly clear to DNPA planning officers since before I purchased The Hillyfield, as well as throughout my ownership, that events and activities additional to the management of the land have happened for less than the 28 day period, and provided this in written form prior to the enforcement notice being served.
- 14.1.4 This information has been provided in written form as a preliminary enquiry made in 2009, and several other key informative emails including the 'Hillyfield Vision 2015' sent to DNPA director Ali Kohler, which was circulated amongst planning and enforcement officers prior to enforcement being served, and detailing amongst other aspects exactly the number of events and activities that had been held, and the vision for the land (See Appendix App1-3 for information provided in my preliminary enquiry, and App3-7. Hillyfield Vision 2015 provided to DNPA immediately prior to their decision to take enforcement action).
- 14.1.5 Turning to residential use, as detailed in Section 7 Accommodation for Volunteers, the only occupation of the site has been by volunteers sleeping in caravans and occasionally the yurt, which I regard as ancillary to the forestry use of the site as these volunteers are essential to my management approach. This has also been discussed with DNPA officers many times, as detailed below

Structures in Enforcement Notice (1)

- 14.1.6 All of the structures mentioned in Enforcement (1) would be removed from site if each of the barns was granted permission. This would serve to rationalise the site into two clear areas of development with built for purpose structures.

Caravans

- 14.1.7 The use of caravans has been ancillary to our forestry use, accommodating individual forest workers for stays averaging 39 days a year. This is fully documented in Section 7 and Appendix App7-6 Seasonal Workers
- 14.1.8 Following advice from Mr. Aven, whilst on site, that it shouldn't be necessary to remove the caravans from the holding when not in use, but to keep them close to a hedge, no action to remove caravans from site when empty has been taken.
- 14.1.9 Accordingly, the accommodation aspect of the caravans was perceived to be exactly as per the Caravan Acts definition of providing sleeping spaces for those workers engaged in forestry on my holding.
- 14.1.10 When not in use, caravans have been stored on site in their location, and are occasionally used as additional temporary dry storage space for bags of charcoal. I do not understand how my use of the caravans can have activated a year-round change of use to 'residential' accommodation. They do not have the facilities to be a residential space, and they are often empty for short

periods in between workers visits, when the bed is folded up into a sofa. I would suggest that this would be more like the storage of a caravan than a change of use to residential.

Tented Yurt type structure

- 14.1.11 This is a genuine Mongolian yurt. As described in Section 7 regarding Accommodation for Volunteers, the yurt has been used exclusively for ancillary forestry purposes, erected and dismantled as and when required. There has been no change of use. The times it has been erected and dismantled can be seen in the following chart:

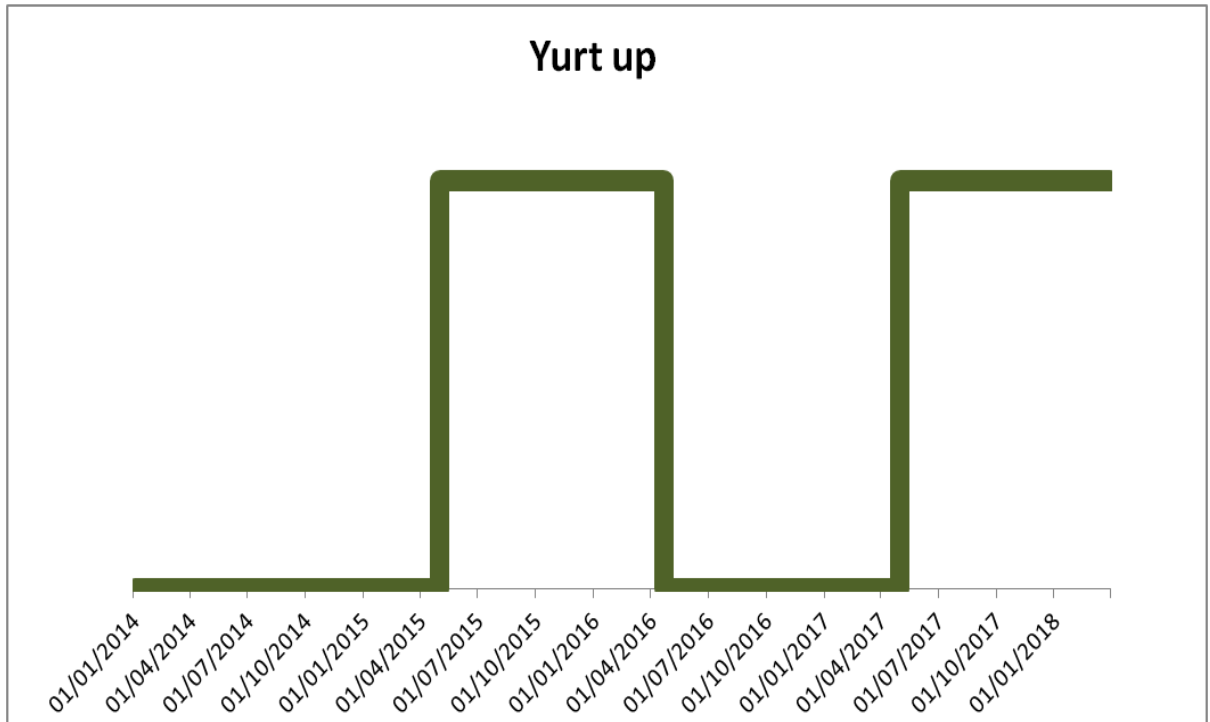


Figure 14 – Times when Yurt has been erected since 2014

- 14.1.12 This yurt has only ever been erected on the custom-built level wooden platform described in ENF (2).

Lorry body used for storage

- 14.1.13 This is a chattel. The lorry body has been sited on the land for over 10 years. It is used as lockable storage for e.g. oils, lubricants, tarps; as well as valuable tools e.g. compressor together with a workbench with vice used to sharpen chainsaws.

- 14.1.14 Given the length of time the lorry body has been present at Hillyfield it is immune from enforcement action. As part of our application for a Lawful Development Certificate 0446/17 we supplied information proving this which is attached at Appendix App2-3:

- Statutory declaration by John Bayes (Appendix App2-3-5)
- Statutory declaration by Dr A. Clay (Appendix App2-3-6)
- Letter from Dr A. Clay (Appendix App2-3-7)
- Statutory declaration by Charles Hailes (Appendix App2-3-8)
- Email from Charles Hailes and photograph from 2006 (Appendix App2-3-14)
- Statutory declaration by David Holmes (Appendix 2-3-9)
- Photograph of Lorry Body from DNPA enforcement officer visit 17th April 2012 (Appendix App2-3-15: Image 01)

- Photograph of Lorry Body from DNPA enforcement officer visit 11th June 2013 (Appendix App2-3-15: Image 02)

Lorry used for storage

- 14.1.15 The Lorry is used exclusively for the storage of tools and equipment used in connection with managing the land. This use, and its essential need, is described in Section 6.2.31.
- 14.1.16 As it is a moveable vehicle, capable of being driven, I do not consider it a 'structure' but a chattel used for the forestry purpose of tool storage, and as such there is no change of use. Enforcement officers had shared this opinion during previous visits.

Tented structure used as a field kitchen

- 14.1.17 The field kitchen is a tented structure that was first erected on the 26th April 2008. It was moved to its current position, in the approximate position shown marked 'A' on attachment PA04, on the 24th April 2011.
- 14.1.18 The field kitchen, measuring approx. 6x7m (42m²), includes a kitchen, dry space, and rest space that is essential for on-site seasonal workers and volunteer weekends.
- 14.1.19 Given the size and relative permanence, foundations, and utilities, we consider it to be immune from enforcement given the number of years it has been built on the land. As part of our application for a Lawful Development Certificate 0446/17 we supplied information proving this which is attached at Appendix App2-3:
- Statutory declaration by John Bayes (Appendix App2-3-5)
 - Statutory declaration by Dr A. Clay (Appendix App2-3-6)
 - Letter from Dr A. Clay (Attachment App2-3-7)
 - Statutory declaration by Charles Hailes (Appendix App2-3-8)
 - Statutory declaration by David Holmes (Appendix App2-3-9)
 - Photograph of the field kitchen dated 6th August 2011 (Appendix App2-3-10: Image 01)
 - Photograph of the field kitchen from DNPA enforcement officer visit 11th May 2011 (Appendix App2-3-10: Image 03)
 - Photograph of the field kitchen from DNPA enforcement officer visit 12th June 2012 (Appendix App2-3-10: Image 04)
 - Photograph of the field kitchen from DNPA enforcement officer visit 11th June 2013 (Appendix App2-3-10: Image 02)
 - Photograph of the field kitchen dated 11th August 2012 (Appendix App2-3-10: Image 05)
- 14.1.20 On a few days a year it has been used as a kitchen space to heat water and soup for events held at The Hillyfield. This use has been *de minimis* which I would have thought should be entirely within permitted development rights of the 28 day rule.

Tented structure used as a workshop

- 14.1.21 The Covered Work-space is described in Section 6. It is used exclusively in connection with, and ancillary to, the forestry use of the land. There has been no change of use.

14.2. Enforcement Notice (2) (3146597)

- 14.2.1 Enforcement Notice (2) alleges the erection of three items, comprising of 5 structures, in breach of planning control:
- Two small open fronted timber barns
 - Two compost toilets
 - A timber platform used for the siting of a yurt

Temporary Wood Drying Barns

- 14.2.2 These wooden sheds are ancillary to our forestry use, used exclusively for the stacking and drying of logs and sawn timber, derived from the site. These are ancillary forestry uses and thus these are forestry buildings, reasonably necessary to the forestry use of the holding, and essential for me to be able sell dry wood to the local market.
- 14.2.3 Both sheds were erected as an interim measure whilst I resolved the refusal of Prior Notification for permitted development and sought to gain permission for a properly designed and suitable timber-drying barn (Application 0259/15). They have no foundations, are bolted together, and didn't require any skilled labour to erect.
- 14.2.4 The sheds measure 39.4sqm and 45.4sqm. One is fractionally larger due to a lean-to providing a covered stacking area on one side.
- 14.2.5 One shed is used for stacking firewood, and the other primarily for stacking timber milled on our mobile sawmill.
- 14.2.6 The temporary nature of both wood-drying sheds was explained to enforcement officer Mr Palmer on his site visit on 7th October 2015. I was surprised that he stated in his report that I could not justify the need for the structures on site as I remember talking about these at length.
- 14.2.7 As explained in Section 5 detailing the woodland enterprise at The Hillyfield and our planned performance, and Section 6 detailing the current infrastructure and limitations, there is a very clear case for a wood drying barn, supported at great depth by professionals from the Forestry Commission, Royal Forestry Society, Woodsure accreditation project, and other forestry experts.
- 14.2.8 This need for a wood-drying barn is reflected in the number of prior-notifications approved by Local Planning Authorities around the country, including on National Parks. Dartmoor National Park also recognises the need for timber drying barns as shown in the following cases:
- Druid Woodland (See Appendix App9-12 Druid application)
 - Delamore (See Appendix App9-13b regarding the DNPA legal position for forestry development, and App9-13 for planning files of the approved application)
 - Fingle Woods (See Appendix App9-10-1 Fingle Woods Prior Notification folder)
- 14.2.9 Other National Parks are even more supportive. For example, Lake District National Park has approved a number of forestry structures including CassHow Wood detailed in Appendix App9-19.
- 14.2.10 Prior Notification applications for forestry purposes can be quite diverse and include welfare facilities, storage, and working spaces. Hill Holt wood is a 17.4ha ancient woodland site in North Kesteven, and is the lead partner in the Making Local Woods Work scheme led by the Plunkett Foundation, and is helping deliver a million pound project to support the development of Woodland Enterprise in the UK. They have the support of their LPA who have written in to show the scope of support offered under permitted development and planning to help foster a woodland culture in North Kesteven..Prior approvals have included '*composting toilet, workers' shelter, woodstore and polytunnels*'. (See Appendix App9-20)
- 14.2.11 Given that my temporary sheds had only recently been erected, that they were clearly used for the drying of timber arising from my forestry management and had been justified as a purely temporary measure for my enterprise to succeed whilst I resolved planning issues on a live planning appeal, I felt it was unreasonable to receive enforcement notices against them.
- 14.2.12 Mr Palmer was a temporary enforcement officer and I was aggrieved not to have an opportunity to discuss this with a planning officer who held a more permanent position at DNPA and was familiar with my project. The more so, that we were given no opportunity to discuss these issues before enforcement was served.
- 14.2.13 I was further aggrieved to have to pay full industrial (use class B2) fees to appeal against the enforcement notices for these barns, despite their use being entirely connected to my forestry

purpose. The LPA led me to believe that this issue could only be resolved by the planning inspectorate, whilst my case officer at PINS told me that the LPA could choose to set fees as they thought fit. (See Appendix App3-11 for emails regarding fees).

- 14.2.14 This was another financial impact on a low profit enterprise with incredible charges being levied. The cost of this appeal would have been impossible for the enterprise to bear if supporters had not been so generous when DNPA insisted the appeals had to be a Public Inquiry.

Compost Toilets

- 14.2.15 The compost toilets are in daily use in connection with both the agricultural and forestry use of the site. These are incidental uses and thus the compost toilets may be reasonably regarded as forestry and / or agricultural buildings, reasonably necessary to the mixed agricultural and forestry use of the holding.
- 14.2.16 They are modest in size and inoffensive in appearance, and with the exception of the corrugated roofs, constructed entirely from timber from our woods including timber and willow screen. They also have sinks with running water.
- 14.2.17 The compost toilets, as 'operational development', are immune from enforcement action as they have been erected for more than 4 years. This was substantiated in our application for Lawful Development Certificate 0446/17. Evidence provided in support was as follows and is included in Appendix App2-3:
- Statutory declaration by John Bayes (Appendix App2-3-5)
 - Statutory declaration by Dr A. Clay (Appendix App2-3-6)
 - Letter from Dr A. Clay (Appendix App2-3-7)
 - Statutory declaration by David Holmes (Appendix App2-3-9)
 - Photograph of the Compost Toilet #2 dated 4th August 2011 (Appendix App2-3-11: Image 01)
 - Photograph of the Compost Toilet #1 dated 4th August 2011 (Appendix App2-3-11: Image 02)
 - Photograph of the Compost Toilet #2 dated 4th August 2011 (Appendix App2-3-11: Image 03)
 - Photograph of Compost Toilet #2 from DNPA enforcement officer visit 12th June 2012 (Appendix App2-3-11: Image 04)
 - Photograph of Compost Toilet #2 from DNPA enforcement officer visit 11th June 2013 (Appendix App2-3-11: Image 05).

Timber Platform for the siting of a yurt

- 14.2.18 The timber platform is a simple wooden platform built in June 2011 by myself and Dr A Clay. It is used to situate a yurt for seasonal forest worker accommodation as well as a cover for timber storage.
- 14.2.19 The platform has been in situ since 2011 and due to the length of time it has been constructed is immune from enforcement action.
- 14.2.20 The timber platform was built for the specific purpose of erecting the yurt described in Section 7 Accommodation for Volunteers.
- 14.2.21 Evidence in support of the immunity of the timber platform from enforcement action was provided in our application for Lawful Development Certificate 0446/17 and is included in appendix App2-3:
- Statutory declaration by John Bayes (Appendix App2-3-5)
 - Statutory declaration by Dr A. Clay (Appendix App2-3-6)

- Letter from Dr A. Clay (Appendix App2-3-7)
- Statutory declaration by David Holmes (Appendix App2-3-9)
- Email from PM Parker MBE to applicant with photograph dated 11th August 2011 (Appendix App2-3-13)
- Photograph of Yurt Platform from DNPA enforcement officer visit 17th April 2012 (Appendix App2-3-12: Image 01)
- Photograph of Yurt Platform from DNPA enforcement officer visit 12th June 2012 (Appendix App2-3-12: Image 02)
- Photograph of Yurt Platform from DNPA enforcement officer visit 12th June 2012 (Appendix App2-3-12: Image 03)
- Photograph of yurt being taken down 17th September 2012 (Appendix App2-3-12: Image 04)

14.3. Enforcement History

Introduction

- 14.3.1 Since taking on ownership I have become used to annual visits from enforcement officers prompted by complaints from our closest neighbours. I have always maintained open and friendly communication, and almost always followed these meetings up in writing.
- 14.3.2 These visits occurred on:
- 16th June 2011 – Enforcement visit (Nick Savin)
 - 17th April 2012 – Enforcement visit (Brian Corcoran)
 - 12th June 2012 – Enforcement visit and site visit for Prior Notification of forestry barns (James Aven, Brian Beasley, Louise Smith and expert forester Mike Gardner)
 - 11th June 2013 – Enforcement visit (Andy West, James Aven, Nick Savin)
 - 7th & 8th October 2015 – Enforcement visit (Keith Palmer)
 - 2nd December 2015 – Enforcement visit (Keith Palmer)
- 14.3.3 From the six site visits and enforcement visits which took place between 2009 and 2015, there were five instances when officers did not respond to my emails asking for clarification on what was discussed during, or the outcome of, site visits. (See App3-15 for more detail)
- 14.3.4 All structures mentioned in the enforcement notices were seen by, or discussed with, planning enforcement officers during these visits, with the exception of the two temporary, wood-drying sheds. At no time during these visits did enforcement officers advise me of contraventions of planning control, and neither was I advised that the buildings would be subject to enforcement action.
- 14.3.5 All relevant communication between myself and DNPA staff is documented in Appendix App3-15. This document offers insight into the lack of clear advice provided around issues of direct relevance to these enforcement notices.
- 14.3.6 Key documents are emails from myself to James Aven (Enforcement Team Manager) 8th December 2010 and 22nd June 2012 (see Appendix App3-17)
- 14.3.7 The emails of 2010 and 2012 included direct questions regarding:
- the placement of forestry workers caravans
 - attempts to understand and resolve conflicting views of officers
 - questions regarding what to do with caravans when not in use and where to store them
 - what types of structures were considered permitted as temporary structures

- whether or not planning permission was required for temporary structures
 - and explaining my intention to develop suitable forestry barns.
- 14.3.8 Despite being asked repeatedly in person and in writing to respond to these emails, by myself and others, I have not had any response to the questions raised. This is made more confusing given that Mr. Aven immediately circulated my requests to his colleague Louise Smith upon receiving them (as evidenced in the Freedom of Information Request), (See Appendix App3-19)
- 14.3.9 Receiving no response, and that no issues regarding the caravans or structures were raised during subsequent visits, I understood that our use of structures to accommodate and support the work being carried out by our volunteer workers were not considered unauthorised but ancillary to our forestry use of the land, and of no planning concern. Should there have been concern, I would have hoped to have been given an opportunity to resolve it.

Communication with 3rd Parties about Enforcement

- 14.3.10 The lack of response to my requests for clarification on matters regarding enforcement have been mirrored in an equal lack of response to promises of action to be taken.
- 14.3.11 On 21st November 2012 I took part in a DNPA led community consultation to help review the Dartmoor National Park Management Plan. I was encouraged (by the CEO of DNPA) to raise a voice for the needs of forestry, in particular small woodland restoration.
- 14.3.12 At this meeting I asked the then Head of Planning, Stephan Belli, to review what might be behind the blocks in my receiving support from the planning department. I followed this up with a detailed email regarding communication with planning officers on two separate planning applications.
- 14.3.13 Mr Belli eventually responded with a letter on 31st January 2013. It contained several incorrect details (which I then unsuccessfully tried to clarify) and included the statement:
- ‘I am aware of your contact with us through our enforcement service given the unauthorised structures on your land and understand there are a number of potentially unresolved enforcement issues regarding yurts, caravans and buildings etc. as well as queries regarding the use of the land and whether or not this falls within the definition of forestry.’*
- 14.3.14 Mr Belli went on to state:
- ‘Regarding the enforcement issues I strongly advise you to take my colleague James Aven’s advice in this matter and seek to resolve any issues without the need for formal enforcement action. I’ve asked Mr Aven to arrange a follow up site visit to assess the latest position. If there is an ongoing breach of planning control we will write to you following that site visit and offer our advice to resolve this.’*
- See Appendix App3-14*
- 14.3.15 This was the first instance that I had heard that there might be ‘issues’ regarding enforcement. At all enforcement visits prior to this date there had been no follow up communication or response to my questions and requests for clarification. However, following this email from the head of planning, there was no action taken. In fact, the next enforcement visit from Mr. Aven was not until 11th June 2013, some 6 months later. Again there was no follow up action.
- 14.3.16 In order to address the inaccuracies of Mr Belli’s planning review letter I wrote to him. Mr Belli circulated my letter of concern, and simply wrote in his email to Brian Beasley and James Aven;

‘Just for the record but I think I’ve already shared this with you. I don’t intend to respond further’.

- 14.3.17 Mr Belli indeed did not respond, and no action was taken whatsoever. (See Appendix App3-10 p.16)
- 14.3.18 This approach of not responding to a direct email requesting clarification of inaccuracies held by the planning department, as well as ignoring the concerns I raised regarding the behaviour and lack of response from planning officers at DNPA seems to highlight an institutionalised problem within the Dartmoor National Park planning authority, not the attitude of an organisation which takes its role in working supportively with applicants seriously.
- 14.3.19 In reading through all of my email communications with DNPA, I can highlight emails which received no response from 11 officers to 33 emails between 2010 and 2015.
- 14.3.20 In order to address the lack of feedback from the planning enforcement visit By Mr. Aven on 11th June 2013, and to clarify if there in fact were any outstanding planning issues as claimed in Mr Belli's letter, my planning agent Rupert Lane wrote on 9th September 2013;
- 'James was surprised no written response to visit. He will remind Andy West (a new boy) on Wednesday when back from leave' and '...regards planning suggested some issues required regularising – mention caravans not happy about, but items like pole barn for education no problem. Andy should be detailing outstanding issues.'*
- See Appendix App3-16*
- 14.3.21 I received no follow up communication from either Mr. West or Mr. Aven, and the next enforcement visit came from Mr Keith Palmer on 7th October 2015, over 2 years later. This visit is also documented in the Appendix App3-15.
- 14.3.22 At no moment in this process was it ever made clear that there was any particular structure or activity which was considered inappropriate and requiring removal. I was encouraged to 'rationalise' my use of the site, which I have been trying to do through the formal planning process but have been given no opportunity to resolve anything to do with enforcement issues. Without such guidance I have continued my work of woodland restoration and investing in the enterprise.

Enforcement Process

- 14.3.23 At my request, I had a meeting with DNP's Director Ali Kohler in an attempt to resolve issues in November 2015. She subsequently took these matters to an in-house planning review meeting.
- 14.3.24 As a result, on 11th December 2015 I received an email from Jo Burgess stating that although the Machinery Barn was now considered permitted development and that full planning was now considered necessary for the timber-drying barn alone, DNPA was considering issuing Enforcement Notices.
- 14.3.25 My immediate response to this threat of enforcement action was to send an email on 13th December (requesting a meeting to resolve enforcement issues) stating:

'Regarding the other structures on site, I need to request a meeting, specifically with James Aven and yourself. A meeting on site would probably be the most helpful. Would you agree? I would want to discuss, and hopefully resolve, the potential enforcement issues and the suggestions of my uses of the land which you describe in your letter'.

(See Appendix App3-20)

- 14.3.26 However, no opportunity for this meeting was allowed, and enforcement notices were served.

- 14.3.27 In conclusion, communication with the DNPA planning and enforcement service has been far from helpful in supporting me to address any issues which they might have felt to be of concern. I have over the years been repeatedly ignored in my requests for clarification on the issues specific to these enforcement notices. Furthermore, the information I have provided (detailing the exact issues of my need for accommodation for workers, my use of structures to support the woodland holding, and the number of events and educational and recreational activities which I have held on the land) has also been disregarded.
- 14.3.28 Enforcement has been served irrespective of all the above, and without discussion or exploration of solutions. Even the Dartmoor National Park Management Committee were misled by the officer report providing the 'enforcement action taken under delegated powers' presented on 4th March 2016 which was erroneous in its detail and failed to mention the issue of a change of use. (See Appendix App2-4 Delegated Powers)
- 14.3.29 This lack of advice and the suddenness of enforcement action (following years of visits where no issues were raised as being a problem needing resolution), together with the Changes of Use which had never been raised before, has caused me to struggle to maintain progress on the holding, especially with the time and financial burden of the Public Inquiry I have been forced into. This has brought the enterprise and the woodland restoration it has achieved, to the brink of collapse.
- 14.3.30 I find this to be wholly unreasonable and unnecessary, especially when I look around the country at other LPAs, and particularly in other National Parks, where they are taking a more supportive approach to the needs of woodland restoration and the benefits it can bring.

15. Conditions

- 15.1.1 The following conditions are suggested as ways to assist in making the development proposals acceptable to the Inspector and the LPA if the developments are deemed to be outside of policy for any reason.
- 15.1.2 With regard to all buildings approved:
- These shall be removed if they become redundant within 10 years of construction unless a change of use shall be approved by the LPA.
- 15.1.3 Multi-Purpose Forestry Building including accommodation APP/J9497/W/17/3191100 (Full Planning application):
- A maximum stay of 4 months for each forest worker in each calendar year unless a limited extension should be agreed in writing with DNPA on an individual basis
 - To keep a log-book recording the dates of stay and home address of all resident forest workers
 - To tie the accommodation aspect of the Multi-Purpose building to the need for, and provision of opportunities for seasonal forestry workers to support the delivery of a Forestry Commission approved Woodland Management Plan
 - Details of the means of grey water and surface water disposal will be submitted to, and approved in writing by, the LPA prior to the commencement of construction
 - Any landscaping deemed appropriate to reduce landscape impact.