

Site is within a quarry where various equipment is stored in the open at present. The quarry is well landscaped and there was evidence of willow growing and the woodland being managed.

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## Recommendation

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Officer recommendation

Objection

### Officer notes

The applicant previously made a prior notification application for 3 buildings - 2 within the quarry and one on grassland for tools and machinery, planked wood and firewood. It was considered that the proposed development was not reasonably necessary for the purposes of forestry and therefore that planning permission was required.

The determination procedure for prior notification under part 7 includes verifying that the intended development does benefit from permitted development rights, and does not require planning permission.

On this occasion the proposal is for two barns - one a secure tool and machinery store (14.3m x 13.6m and 6.45m high) and one an open fronted 'pole barn' to be used for storage of rough cut timber for air drying. Storage is currently in the open and in a lorry. Both buildings are within the quarry which is well screened by a hazel hedge on the south west side during the summer but in winter the barns would be visible from properties within Harbourneford.

The applicant has previously been advised that if it was considered that a building is required to manage the woodland, the Authority would be looking at the minimum requirement. The Trees and Landscape Officer has previously concluded that the reason the store is required is to house machinery being used not wholly for the purposes of forestry and that as such the building was not required for the purposes of forestry. It was also argued that timber to be seasoned did not need to be within a building.

The applicant has submitted information from Mr Watt of John Clegg Consulting in which it is concluded that the equipment apart from one of the two quad bikes is appropriate for the operations proposed to be undertaken in accordance with the Woodland Management Plan and that to lengthen the life of the equipment and machinery the building of a store is supported. It is also confirmed that if wood is stored under cover, the speed of timber drying is greatly speeded up and it is only under cover that a moisture content of about 25% can be achieved (this is the moisture content required for firewood). A drying shed is also supported by Mr Watt.

The applicant argues that the processing of timber with a mobile sawmill within the forestry is ancillary to the forestry operation and that the processing of the wood into firewood and rough cut cladding is necessary to 'render the timber marketable as timber or disposable to profitable use as timber'. (see *Midlothian Assessor v Buccleuch Estate Ltd.*)

The conclusion of '*Millington v SoS & Another 25/6/99*' quoted by the applicant is that the activities of the applicant need to be considered in terms of whether the storage of sawn timber and associated machinery is incidental to the forestry operation, ancillary to normal forestry operations and reasonably necessary to make the product marketable. Following the Scottish case (*Midlothian*) it was concluded that the use of land for stockpiling preparatory to its onward removal was part of normal forestry use and that the extraction of timber is included in the general term forestry.

The question that arises from the Scottish case is even if forestry includes operations to