

Farm Woodlands Information Sheet



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Obtaining Permission to Fell Trees

The felling of trees is regulated by Scottish Forestry through the issuing of Felling Permissions (formerly Felling Licences). Felling includes coppicing, thinning, selective felling, clear-felling and clearing windblow. This is part of Scottish Forestry's duty to promote sustainable forest management and ensure that forest cover is maintained.

The permission to fell, when it involves clear-felling, will normally be issued with replanting conditions and will include the maintenance required to successfully establish the trees. Other conditions can also be added to the permission to avoid or mitigate potential impacts on: communities, individuals, the environment, biodiversity or protection of species.

Under the Forestry & Land Management Act 2018, it is an offence to fell growing trees without first obtaining a felling permission. Penalties of up to £5,000 per tree and a criminal charge may result from illegal felling. It is therefore important to apply for a felling permission well in advance of starting any harvesting work.

In some circumstances a felling permission is not required. Key exemptions are:

Small trees - Any trees with a diameter at breast height (measured at 1.3m from the ground) of 10 cm or less.

Low volume - Up to five cubic metres of timber can be felled within any set calendar quarter [Jan-March; Apr-Jun; July - Sept; Oct-Dec] without permission. This does not apply native broadleaved woodlands of between 0.1 and 0.5ha inclusive or Caledonian Pinewoods.

Dead trees - they must be completely dead. Trees that are starting to die or blown over are not exempt.

Danger - Trees that pose an immediate danger to people or property.

Certain other specific exemptions can also apply. These are mostly linked to specific locations or Acts of Parliament.



Please refer to the full Felling Permission applicant guidance issued by Scottish Forestry: www.forestry.gov.scot/publications/support-and-regulations/678-felling-permission-application-guidance or consult with your local Forestry Scotland conservancy office or your woodland agent if you are unsure.

The Application Process

A landowner, or are an occupier of the land with written consent from the landowner, can apply. An agent can apply on behalf of the landowner if an agent mandate form has been completed by the owner.

For larger (>100ha), complex woodlands it is usually best to prepare a Long Term Forest Plan (LTFP). Grant funding is available this. A LTFP can provide permission to fell and thin several areas of your forest over a 10 year period.

If you only intend to carry out thinning operations an approved Management Plan can provide permission to thin your woodland for up to 10 years, subject to a satisfactory review at year 5. If you intend to carry out other types of felling a separate Felling Permission application form will be required.

To apply using a Felling Permission application form you need to complete and submit a application form with two accompanying maps, prepared according to Scottish Forestry guidelines, that display the felling and/or thinning areas and any restocking proposals.

The application form sets out the species of trees to be felled, their number and the volume being felled.

You also have to set out the reasons for felling the trees and demonstrate how any constraints or sensitivities have been taken into account.

For clear-fell site you will need to include details of the restocking proposals and how you will ensure that the trees will become established. Minimum stocking densities of 2500 trees/ha for conifers and 1600 trees/ha for broadleaves usually apply.

Before completing the form:

- It is advisable to consult with neighbours and as a minimum inform them that you are preparing your application and again inform them before starting any felling work.
- Where timber transport is not along an approved timber transport route, as shown on the Timber Transport Forum website, the applicant needs to consult with local authority setting out the loading areas and haulage route and the number of timber lorry journeys required.
- Ensure your felling operations do not contravene any laws or industry good practice requirements
- Use Scottish Forestry Land Information Search (https://map.environment.gov.scot/LIS_Agri/Agri.html) to look for environmental sensitivities that need to be taken into account (e.g. SSSI designations).
- Check the local authority website for any trees covered by Conservation areas and contact them with regard to any Tree Preservation Orders.
- Be aware of protected species (e.g. badgers) in the area and then demonstrate in your application what measures will be taken to ensure that they are not harmed by your proposals.
- Check whether any Plant Health controls may apply to timber movement.

Unless the application is for thinning only, with no known sensitivities, the proposals are put on the Public Register of Felling Permissions for four weeks. Allow at least 2 months for the Felling Permission application to be approved.

Do not start any felling until the felling permission has been approved.

Woodland removal - Restocking conditions are normally applied to areas that are clear felled and there is a presumption against the removal of woodland. If you intend to clear fell trees and not replant them you have to demonstrate that the woodland removal will provide a significant public benefit if it is to be approved. Financial gain, for example by converting to agriculture, is not considered a valid reason. Any application for woodland removal in sensitive areas (or above 0.5ha in National Scenic Areas or above 1ha in non-sensitive areas) will be assessed by Scottish Forestry under Environmental Impact Assessment Regulations.

