



The Moorland Association

# Applying for a Defra Licence to Burn on Deep Peat

## A Land Manager's Handbook

Version 2.6 - Updated 5th December 2025

### Introduction

Welcome to your practical guide for navigating the Defra licensing process for burning vegetation on deep peat. This handbook has been developed to help Moorland Association members and land managers understand and meet the requirements of the updated Heather and Grass Burning Regulations.

**Why is a licence required?** The regulations prohibit the burning of heather, rough grass, bracken, gorse, and bilberry species on peat soils deeper than 30cm within specific upland areas, unless you have a licence from the Secretary of State for Environment, Food and Rural Affairs.

**Who needs a licence?** You need a Defra licence if you plan to burn this type of vegetation on land that is **both**:

- On peat deeper than 30cm.
- Within a Less Favoured Area (LFA), which are typically upland areas.

**When do you need to apply?** You must have a licence **before** you carry out any burning. The application process can take at least 12 weeks, so it is crucial to apply well in advance of the burning season. The upland burning season runs from 1 October to 15 April.

This handbook will walk you through the process step-by-step, helping you prepare a professional and complete application that reflects our shared commitment to responsible land stewardship.

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# Before You Apply

Proper preparation is the key to a successful application. Before you begin filling out the form, you must gather essential information and secure necessary permissions.

## 1. Check Your Eligibility and Permissions

- **Landowner Agreement:** You must have the landowner's agreement to be eligible for a licence.
- **One Licence Per Landholding:** You can only apply for one licence per landholding (the entire area of land you manage) at any time.

## 2. Assess Peat Depth

You must measure and record the peat depth at the locations you plan to burn to confirm if a licence is needed. For every 0.25-hectare (2,500m<sup>2</sup>) area you intend to burn, you must:

1. Take a photograph of your measuring equipment (e.g., a measuring stick).
2. Identify the four outer corner points and the centre point of the burn area.
3. Record the location of these five points using an 8-figure Ordnance Survey (OS) grid reference or GPS coordinates.
4. Measure and record the peat depth at each of the five points. If **any** point is deeper than 30cm, you need a Defra licence.

## 3. Confirm Your Location

- **Less Favoured Area (LFA):** Use the [official government PDF map](#) or the [Defra MAGIC map online](#) to confirm your burn area is within an LFA.
- **Protected Sites:** Use the [MAGIC map](#) to check if the land is also a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), or Special Protection Area (SPA), as these require additional permissions.

## 4. Secure SSSI Consent from Natural England

- **This is a critical first step.** If your intended burn is on [an SSSI](#), **you must have valid SSSI consent from Natural England *before* you can apply to Defra.** Parallel applications are not accepted. If you don't already have SSSI consent, [you can apply through Natural England](#).
- Read our guide on this: [Establishing Natural England's Consent to Burn on SSSI Units](#)
- The consent must permit the burning of vegetation at the specific location named in your licence application. A licence will only be issued if the burn does not harm the SSSI, unless a wider government statutory duty (like wildfire prevention) takes precedence.
- You must also have the agreement of any other individuals who hold SSSI consent or rights to burn on the same land.

## 5. Consider Other Agreements

- **Agri-Environment Schemes:** If you have a Countryside Stewardship or Environmental Stewardship agreement, you may need to [apply for a "minor temporary adjustment" from the Rural Payments Agency \(RPA\)](#) after your Defra licence is granted.
  - **Common Land:** If the land is shared or [common grazing](#), you must have the rights or permission to burn (e.g., through a tenancy agreement) and the agreement of other rights holders.
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## Step-by-Step Application Guide

The application requires you to provide clear justification and detailed plans for your proposed burns. You can apply for a licence under multiple grounds (see the four reasons below) and you will be asked to specify the primary purpose of each burn, and evidence these in Step 2. For example, if burn plots 1- 5 are for conservation and plots 6-14 are for wildfire, you would tick both boxes at this stage.

### Step 1: Choose Your Reason for Burning

- **Reason 1: To conserve, enhance or manage the natural or historic environment.**
  - You must complete and submit a [restoration plan](#) using the official template. The plan must show why burning is essential for restoring the peat habitat and that you have implemented other necessary actions, like rewetting the land.
- **Reason 2: For the safety of people.**
  - You must provide evidence of a specific risk to people and explain why burning would make the land safer. If the risk relates to wildfire, you should apply under Reason 3.
- **Reason 3: To reduce the impact of wildfire.**
  - This is a common reason for applying. You must complete and submit a comprehensive [wildfire management plan](#) using the official template. This plan must cover the entire landholding and explain why burning is a necessary and effective tool.
- **Reason 4: For research or education purposes.**
  - This applies to formal research projects, and the licence is typically issued to an organisation. You must detail the proposal and explain why burning on deep peat is the only way to meet your objectives.

### Step 2: Provide Details for Each Individual Burn

Your application form allows for details of up to 30 individual burn plots. If you plan more, you must use the continuation sheet. For each proposed burn, you will need to provide:

- The reason for the burn.
- The burning season it will take place in.
- An 8-figure OS grid reference for the location. If you use What3Words to identify a location, you can convert this to an OS grid reference using the website [www.gridreferencefinder.com](http://www.gridreferencefinder.com)
- The size of the burn area.
- Details of the plants and vegetation at the site.
- Confirmation of whether it is within an SSSI, SAC, or SPA.

### Step 3: Prepare Your Wildfire Management Plan (if applying under Reason 3)

The [wildfire management plan template](#) is detailed and requires careful thought. Key sections include:

- **Site Overview:** Describe your landholding, its habitats, and existing management aims.
- **Wildfire Risk Assessment:** Analyse potential hazards, identify what is at risk, and rate the current risk level using the official matrix (likelihood x severity).
- **Control Measures:** Detail your plans for fire breaks and fuel management. You must explain why burning is necessary over alternatives like cutting. Your plan should describe what else you are doing to build the habitat's natural resilience and reduce the need for future burning.
- **Maps and Evidence:** Include clear, labelled maps showing your landholding, risk areas, and the location of proposed control measures like fire breaks.
- **Consultation:** Document the feedback you have received from stakeholders like the local Fire and Rescue Service, Natural England, and neighbouring landowners.

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## Supporting Evidence

Your application will be judged on the quality and completeness of your supporting documents. Ensure you include:

- **A map of the entire landholding** showing its boundaries.
- **Evidence of peat depth measurements** for each burn location.
- A completed [Restoration Plan](#) or [Wildfire Management Plan](#), as required by your reason for applying.
- **Proof of SSSI consent from Natural England** if the burn is on a designated site.
- **Proof of agreement from other rights holders** if on common land or land with multiple SSSI consents.

- **Evidence of your competence** (training, qualifications, or experience) to burn safely.
- An explanation of **why alternative solutions to burning are not suitable**.
- A plan showing how you will manage the burn area in the future to **reduce the need to burn again**.
- Details of any **agri-environment schemes** on the landholding.

## Fact Sheets

We have produced Fact Sheets that may be useful when explaining why you need to use controlled burning as a management tool. They set out facts and evidence on three key topics:

- [Controlled Heather Burning & Wildfire](#)
- [Alternatives to Controlled Heather Burning](#)
- [Building Natural Resilience on Moorland Landscapes](#)

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## Submitting Your Application

- **How to Apply:** Complete the official licence online application form [available on GOV.UK here](#).
- **Key Deadlines:** There are no fixed deadlines, but you must **submit your application at least 12 weeks before you intend to burn**. Given the upland burning season starts on 1 October, this means applying in early summer is essential to avoid delays.

### Contact Details:

- **Defra Peatland Protection Team:** [heatherandgrassburning@defra.gov.uk](mailto:heatherandgrassburning@defra.gov.uk)

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## After You Apply

- **Processing Time:** Defra aims to provide a decision within 12 weeks. If it is likely to take longer, they will contact you. **You must not burn until the licence has been granted.**
- **Follow-Up Questions:** Be prepared for Defra or Natural England to ask for clarification or further evidence. A complete and detailed initial submission will minimise this.
- **Receiving Your Licence:** Licences are typically issued for one year, although you can request a longer term if you can justify it (e.g., to align with an agri-environment scheme).
- **Post-Licence Actions:** If your land is in an agri-environment scheme, remember to contact the RPA for a potential minor temporary adjustment once your Defra licence is approved.

- **Let us know your experience of the application process:** [Complete our short survey](#) to tell us how you found the process.
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## Common Mistakes to Avoid

- **Applying without SSSI Consent:** This is a "gateway requirement". Your application will be invalid if you need SSSI consent and do not have it before applying to Defra.
  - **Incomplete Management Plans:** Submitting a wildfire or restoration plan with unanswered questions or insufficient detail will cause delays. The guidance is considered mandatory, and failure to provide the requested evidence will make an application invalid.
  - **Applying Too Late:** Underestimating the 12-week processing time (plus the time needed to get SSSI consent, which can be up to 4 months) could mean you miss the entire burning season.
  - **Justifying Burning in Isolation:** Your plans must show what else is being done across the landholding to improve habitat resilience and reduce the future need for burning.
  - **Vague Evidence:** Be specific. Provide clear maps, precise grid references, and detailed explanations rather than general statements.
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## Checklist

Use this checklist to ensure your application is complete before submission.

- ☐ I have the landowner's agreement to apply.
- ☐ I have confirmed my proposed burn sites are on peat deeper than 30cm and within an LFA.
- ☐ I have measured and recorded peat depths correctly for each burn area.
- ☐ If on an SSSI, I have secured valid consent from Natural England *before* starting this application.
- ☐ I have the agreement of all other rights holders on the land.
- ☐ I have completed the correct management plan (Wildfire or Restoration) in full detail.
- ☐ I have gathered all necessary supporting evidence (maps, competence proof, etc.).
- ☐ My application clearly explains why burning is necessary over other methods.
- ☐ I have included a plan to reduce the need for future burning.
- ☐ I have filled out the Defra application form completely, including details for every individual burn.

- ☐ I have consulted with relevant stakeholders (Fire Service, neighbours, etc.) and documented their feedback.
- ☐ I am submitting my application at least 12 weeks before I plan to burn.
- ☐ I have completed [the Moorland Association feedback form](#) to share my experience of the application process.

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## Links to Regulations, Guidance and Application Forms

Defra Regulations, Guidance and Forms	
Regulations	
Title	<b>Heather and Grass Management Code 2025</b>
Web address	<a href="https://www.gov.uk/government/publications/heather-and-grass-management-code/heather-and-grass-management-code-2025">https://www.gov.uk/government/publications/heather-and-grass-management-code/heather-and-grass-management-code-2025</a>
Title	<b>The Heather and Grass etc. Burning (England) Regulations 2007</b>
Web address	<a href="https://www.legislation.gov.uk/ukxi/2007/2003/contents">https://www.legislation.gov.uk/ukxi/2007/2003/contents</a>
Title	<b>The Heather and Grass etc. Burning (England) Regulations 2021</b>
Web address	<a href="https://www.legislation.gov.uk/ukxi/2021/158/contents">https://www.legislation.gov.uk/ukxi/2021/158/contents</a>
Title	<b>The Heather and Grass etc. Burning (England) (Amendment) Regulations 2025</b>
Web address	<a href="https://www.legislation.gov.uk/ukxi/2025/1000/contents/made">https://www.legislation.gov.uk/ukxi/2025/1000/contents/made</a>
Guidance	
Title	<b>Guidance: Heather and grass burning: rules and when you need a licence</b>
Web address	<a href="https://www.gov.uk/guidance/heather-and-grass-burning-apply-for-a-licence">https://www.gov.uk/guidance/heather-and-grass-burning-apply-for-a-licence</a>
Includes	<p>Information on when you need a licence, when you can burn and how to burn safely. Includes:</p> <ul style="list-style-type: none"> <li>- When you need a Natural England licence or a Defra licence</li> <li>- How to check peat depth</li> <li>- How to check if you are in an LFA</li> <li>- When you do NOT need a Defra licence</li> <li>- How to apply for a licence from NE &amp; from Defra</li> <li>- When to apply and burning season dates</li> <li>- Safe burning guidance</li> <li>- Penalties and enforcement</li> </ul>
Title	<b>Apply for a licence to burn on peat deeper than 30cm within a less favoured area</b>
Web address	<a href="https://www.gov.uk/government/publications/apply-for-a-licence-to-burn-on-peat-deeper-than-30cm">https://www.gov.uk/government/publications/apply-for-a-licence-to-burn-on-peat-deeper-than-30cm</a>

Description	How to apply for a licence from Defra to burn heather or grass on peat deeper than 30cm within a less favoured area. Links to the Guidance and Privacy Notice.
Title	<b>Guidance: how to apply for a licence to burn on peat deeper than 30cm within a less favoured area</b>
Web address	<a href="https://www.gov.uk/government/publications/apply-for-a-licence-to-burn-on-peat-deeper-than-30cm/guidance-how-to-apply-for-a-licence-to-burn-on-deep-peat-within-a-protected-site">https://www.gov.uk/government/publications/apply-for-a-licence-to-burn-on-peat-deeper-than-30cm/guidance-how-to-apply-for-a-licence-to-burn-on-deep-peat-within-a-protected-site</a>
Description	The full guidance for a licence application to Defra. Includes <ul style="list-style-type: none"> <li>- Eligibility and Permissions</li> <li>- Providing details of each burn</li> <li>- Reasons for burning</li> <li>- Evidence you need to provide</li> <li>- When to apply &amp; how to apply</li> <li>- Defra contact details</li> </ul>
<b>Forms</b>	
Title	<b>Application form</b>
Web address	<a href="https://submit-form-to-defra.service.gov.uk/form/apply-for-a-licence-to-burn-on-peat-deeper-than-30cm-within-a-less-favoured-area/are-you-the-owner-of-the-land">https://submit-form-to-defra.service.gov.uk/form/apply-for-a-licence-to-burn-on-peat-deeper-than-30cm-within-a-less-favoured-area/are-you-the-owner-of-the-land</a>
Description	Link to apply for a licence to burn on peat deeper than 30cm within a less favoured area.
Title	<b>Wildfire Management Plan</b>
Web address	<a href="https://www.gov.uk/government/publications/wildfire-management-plan">https://www.gov.uk/government/publications/wildfire-management-plan</a>
Description	Link to download the Wildfire Management Plan template.
Title	<b>Heather and Grass Burning Restoration Planform</b>
Web address	<a href="https://www.gov.uk/government/publications/creating-a-blanket-bog-restoration-plan">https://www.gov.uk/government/publications/creating-a-blanket-bog-restoration-plan</a>
Description	Link to download the Heather and Grass Burning Restoration Plan template
<b>Natural England Forms</b>	
Title	<b>Give notice and get consent for a planned activity on a SSSI</b>
Web address	<a href="https://www.gov.uk/government/publications/request-permission-for-works-or-an-activity-on-an-sssi">https://www.gov.uk/government/publications/request-permission-for-works-or-an-activity-on-an-sssi</a>
Description	Link to application form for Natural England consent to operations on a SSSI. The form itself is a Word document which can be opened and downloaded for completion. It should then be emailed to the address at the bottom of the form.

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# Questions We Have Asked Defra

When we receive responses, they will be incorporated into this document.

## 1. **Duration of Natural England consent**

How long does a Natural England (NE) consent remain valid? For example, if an applicant receives NE consent to burn within a SSSI and obtains a 12-month Defra licence, but poor weather prevents burning that season, would they need to repeat the full NE consent process the following year? Or could they simply resubmit their saved application to Defra for a new licence?

## 2. **Number of applications per landholding**

When the guidance states that only one application is permitted per landholding, does this mean one application per burning season, or one per applicant regardless of season?

## 3. **Definition of “landholding”**

How does Defra define a “landholding”? Does this refer to all land owned by a single individual or organisation, or could it apply at the level of an individual estate, leased area, or sporting tenancy?

## 4. **Applications by research bodies**

If a research organisation wishes to apply for a licence to carry out work on an estate that has already submitted its own licence application, would that prevent the research body from applying separately? Coordinating applications with landowners could be impractical and burdensome, particularly where landowners are unwilling to bear additional cost or responsibility. How does Defra envisage such situations being managed in practice?

## 5. **Amendments to multi-year licences**

If a licence is granted for more than one year, can it be reviewed or amended during its term? For example, if a three-year licence is granted and, in the second year, a heather beetle outbreak occurs in an area not originally included for burning, could the licence be amended to allow additional burning for wildfire risk reduction or conservation purposes? The current application process does not appear designed to accommodate such flexibility.

## 6. **Form design and usability**

The online form requires detailed information for each burn site individually. Could this be streamlined? For example, if ten burn sites are proposed - five for wildfire management and five for conservation - could applicants provide supporting information for each purpose once, and then indicate which sites it applies to, rather than repeating the same details for every site? Early feedback suggests the form is very time-consuming to complete. We repeat our request for a more accessible, downloadable version that applicants can fill in offline, save, and edit. The current process can take a full day even for experienced applicants, representing a significant administrative burden and cost.

If you have a question, please email [agilruth@moorlandassociation.org](mailto:agilruth@moorlandassociation.org) and we will contact Defra for a response. We will publish your question and answer here.

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## Appendix: Key Contacts

- **Contact Body:** Defra's Peatland Protection Team.
- **Email:** [heatherandgrassburning@defra.gov.uk](mailto:heatherandgrassburning@defra.gov.uk).
- **Contact Body:** Natural England
- **Email:** [eia.england@naturalengland.org.uk](mailto:eia.england@naturalengland.org.uk)