

LOCAL REVIEW BODY

31st July 2023

Application No: 22/01120/P

**Land west of Hoprig Mains Farmhouse, Gladsmuir,
Macmerry, East Lothian**

Additional Information submitted by the Council's
Planning Service

(Please note that this includes the original report from the Agricultural & Rural Advisor, dated 30 June 2023, and a revised version, dated 11 July 2023, including an addendum.)

30 June 2023

Marek Mackowiak

Planning Officer

East Lothian Council

By Email: mmackowiak1@eastlothian.gov.uk

Dear Marek

**Application for New Dwelling – Land West of Hoprig Mains Farm – Andrew Meikle
Review of Documents Submitted in Support of this Application Ref 22/01120/P**

I have reviewed the following documentation as supplied to me:-

- Planning Statement prepared by Cundall
- Operational Needs Assessment prepared by Davidson & Robertson (D&R)
- Response to LG review of the previous application's planning justification prepared by Greaves, West & Ayre.

This application is a re-application following the rejection of application ref 20/00250/P.

My opinion of the re-submitted application is that whilst there has been a greater level of information submitted the underlying issues remain very similar. These are:-

- 1) The relationship between the size and scale of the business and the operational need of the business for labour to live on site.
- 2) The level of accommodation available to the business.
- 3) Whether the retirement of Mr Meikle senior is a factor in determining the application in terms of provision for retiring farmers.
- 4) The viability of the farm business in light of the proposed labour regime

In terms of my assessment of the labour requirement, that the D&R operational needs assessment set out, I make the following comment. The labour requirement is identified as 4.1 units. The reality is that modern arable businesses operate with much lower labour requirements than the levels calculated by this methodology. I would expect that a business of this size and scope requires somewhere in the region of two units. This marries with the reality of how the business operates being one full time operative supported by seasonal help. Mr Graeme Meikle is clearly a hard working and efficient operator and manages the operational side of the business within these constraints and

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enhances profitability by completing further contracting works which is both sensible and commendable.

The nature of the contracting business is that there is always risk that the business could contract but given the range of agreements and the track record of bringing in a significant amount of contracting income I am satisfied that the business in its current form is a reasonable representation of the business' scale moving forward. The Council may also have a view as to the risk of a contraction of the contracting aspect of the business impacting the future requirement for the housing requirement of the business.

However, the operational needs assessment does not make a clear case as to why it is necessary for a second person to reside on farm. The role is described as being supporting particularly at harvest and sowing. Whilst it will clearly be convenient for all parties for Mr Andrew Meikle to reside at Hoprig, the question is, is it a necessity? I can see that the grain drying operation in particular would benefit from an onsite presence especially given the long hours grain driers operate and their requirement for frequent monitoring. That said it is entirely normal for these services to be provided by off site labour and an 8 mile commute whilst more onerous than living on site it is relatively small in commuting terms.

My sense on this matter is that by living on site, Mr Andrew Meikle will be able to provide more frequent support for more minor activities without which the business might have to employ additional labour for a longer period of time. Again the issue is whether this is a material consideration in cost terms or whether it is largely an issue of convenience.

That 4 houses are currently available to the business is an issue. The availability of the properties is a subtly different issue to their ownership and I leave it to the Council to rule on this aspect. That said, that there are 4 properties clearly linked to the family is an issue. That two of these properties might provide a diversified income stream is important to the business viability as it does provide some insurance against the ebb and flow of agricultural profits. However, they could also provide a level of accommodation for someone in the family and this is clearly a workable but potentially unattractive option.

Looking at viability, the response to my earlier report by Greaves, West & Ayre is not particularly helpful. Mr Allister states the business is profitable and details what I understand to be the farming income followed by the margin earned by the contracting business. This does not allow the relationship between the two aspects of the business to be fully understood, as there is no information on costs. The Cundall statement suggests accounts were submitted to the council but I have not seen this information. (Table 4.1 of their report)

Mr Allister references my use of the term smaller family unit. My point in referring to the scale of the business was that it requires a large arable business to provide sufficient income to cover the infrastructure, machinery and labour costs associated with arable farming meaning that many smaller arable businesses use contractors who can realise economies of scale. The Meikle family have addressed this issue by becoming a contractor for other farms enabling them to make the required investment. The business is therefore reliant to quite a high degree on the contracting income to maintain its current level of profit.

As the Council does not have a retiring farmer policy, then I reach a similar conclusion to my last review which is that the granting of a new house following this application would mean that there were 3 properties utilised to provide accommodation for the farming business in addition to the two smaller cottages. Thus, without an acceptance by the Council that retiring farmers can continue to reside on

farm this is a high bar to get over. Especially as the reports submitted in support of the development identify themselves that there is a requirement for under two labour units to operate the business. Furthermore, that level of operational support Mr Graeme Meikle requires is relatively small (mainly at sowing and at harvest) and whilst I can see how Mr Andrew Meikle's residence on site would be beneficial for the business whether it is a requirement for the business to operate i.e. a true operational need is questionable.

If you have any further queries, please do not hesitate to make contact.

Yours sincerely



Ian Thompson

Associate Director

11 July 2023

Marek Mackowiak

Planning Officer

East Lothian Council

By Email: mmackowiak1@eastlothian.gov.uk

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Addendum – I have been asked to review my report in light of Policy 17 (particularly point vi) of National Planning Framework 4 of which I was unaware when preparing my original report. Policy 17 is replicated below and point vi as highlighted in yellow.

“Policy 17 a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development: i. is on a site allocated for housing within the LDP; ii. reuses brownfield land where a return to a natural state has not or will not happen without intervention; iii. reuses a redundant or unused building; iv. is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets; v. is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work; vi. is for a single home for the retirement succession of a viable farm holding; vii. is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or viii. reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.”

The introduction of NPF4 in February of this year clearly states that a house for a retiring farmer will be supported. In the case of this application, this policy clearly helps the application but I believe it is still a finely balanced decision. There is still accommodation within the control of the family / business that could be utilised for a farm worker and my assessment is that two dwelling houses is a reasonable requirement. If a home to provide for retirement succession is included then this becomes a requirement for 3 houses, against the current 4 available. This then brings me back to the reliance of the business on contracting income and the operational need for a worker to reside on site when they are required for the farm work for only a small portion of the year. Both of these factors weaken the applicant's case considerably and to the point where I am struggling to support the application.

If you have any further queries, please do not hesitate to make contact.

Yours sincerely



Ian Thompson

Associate Director