

Decision Assessment

0584 Leonardslee Wine Estate

January 2026

Contents

1	Introduction	1
2	Lawful Agricultural Baseline of the Holding	1
3	Agricultural Classification of On-Estate Wine-Making	2
4	Exclusivity of Agricultural Use	3
5	Functional Necessity within the Agricultural System	4
6	Design Purpose under Paragraph A.1(d)	5
7	Reasonable Necessity under Class A	5
8	Part 6 Class A	5
9	Overall Class A Determination	9

1 Introduction

- 1.1 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Part 6 Agriculture and Forestry (GPDO), Class A (a) permits the “carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area” of “works for the erection, extension or alteration of a building.” This statement outlines the intention to erect a new viticultural agricultural barn and modernise two small adjacent existing barns (‘the Proposal’). The application site is Leonardslee Wine Estate, Hammerpond Road, Mannings Heath, Horsham, West Sussex RH13 6PG (‘the Site’). The applicant is Leonardslee Wine Estate.
- 1.2 Condition A.2 (2) (d) i of the GPDO requires that this application be made to the local planning authority for a determination as to whether the authority will require prior approval regarding the siting of the described works. As required by paragraph A.2 (2) (d) ii, this statement describes the proposed development and the materials to be used.

2 Lawful Agricultural Baseline of the Holding

- 2.1 The holding operates as a viticultural agricultural unit in which land is planted, managed, and harvested for grapes grown solely for conversion into wine. Under section 336 of the Town and Country Planning Act 1990, agriculture includes horticulture and fruit growing, together with uses ordinarily incidental to those activities. Grapes grown for wine are not a stable or usable product at harvest; without immediate transformation, they deteriorate and cannot be stored, transported, or retained. The lawful agricultural baseline, therefore, extends beyond cultivation and harvest to the minimum operations required to stabilise the crop and realise its intended output. A baseline that terminates agriculture at harvest excludes uses that section 336 expressly accommodates and has been rejected in authority as an artificial truncation of agriculture.
- 2.2 Viticulture differs from annual cropping because the crop is not in a usable form at the point of removal from the land. The function of the land use is not fulfilled by grape production alone but by the production of wine from those grapes. Where land is used for that purpose, the agricultural system necessarily includes the transformation steps that convert an unstable fruit into its intended product. Those steps arise from the biological and physical characteristics of the crop rather than from discretionary or commercial choice. This relationship is fixed by *Millington v Secretary of State for the Environment, Transport and the Regions* [1999], which establishes that processing remains agricultural where it is ordinarily incidental to, and functionally dependent upon, the agricultural use of the land. *Millington* does

not permit agriculture to be truncated at an intermediate stage where the crop's intended use requires further transformation.

- 2.3 The effect of Millington is not contextual or permissive but constraining. Once a crop is grown for a defined agricultural endpoint that cannot be achieved without processing, the lawful baseline must include those processing steps unless they become independent of the land. A decision-maker cannot lawfully redefine agriculture by isolating harvest as a terminus where the crop's purpose and characteristics require immediate continuation. Any assessment that excludes wine-making from viticulture would require rejection of the Millington principle itself, rather than a factual distinction on this holding.
- 2.4 The absence of any parallel or alternative land use further fixes the lawful baseline for this holding. There is no hospitality, retail, visitor access, third-party processing, or intake of produce from outside the holding. The agricultural system operates internally and is constrained by the land, the crop, and the seasonal harvest cycle. An extant Lawful Development Certificate ref. DC/25/0679 confirms that wine-making from estate-grown grapes on this holding constitutes agriculture for planning purposes. That certificate records an exercisable lawful use and forms part of the maximum realistic lawful state against which subsequent development must be assessed under the GPDO.
- 2.5 The lawful agricultural baseline is therefore viticulture, defined as the cultivation of grapes and their conversion into wine, using only grapes grown on the holding, with all stages operating as a single system. Any assessment that removes winemaking from that system would redefine agriculture contrary to section 336, Millington, and the confirmed lawful use under LDC DC/25/0679. No alternative lawful baseline is available.

3 Agricultural Classification of On-Estate Wine-Making

- 3.1 Wine-making on the holding is confined to grapes grown within the agricultural unit and is treated as a continuation of crop handling rather than a separate processing activity. Pressing, fermentation, maturation, and bottling arise from the physical properties of the grape and the biological constraints of fermentation. Each step is required to prevent spoilage and stabilise the harvested crop. The process does not introduce a functional break at which the activity becomes independent of the land, the vines, or the harvest cycle.
- 3.2 The classification of wine-making turns on its relationship to the crop rather than on descriptions of individual operations. Grapes grown for wine remain incomplete at harvest and cannot be treated as an end product. Wine is the realised state of that crop. Treating wine-making as non-agricultural would require treating the cultivation of grapes for wine as an agricultural activity without a lawful endpoint, producing an

internally inconsistent definition of agriculture. That approach is foreclosed by Millington, which prevents processing that is ordinarily incidental to agriculture from being reclassified merely because it involves transformation.

- 3.3 On this holding, wine-making is constrained by estate yield, harvest timing, and the multi-year maturation cycles inherent in viticulture. The estate produces approximately 120 tonnes of estate-grown grapes annually, yielding approximately 265,000 bottles of wine, with a further circa 180,000 bottles currently stored off-site due to spatial constraints. Fermentation capacity corresponds directly to the volume of grapes produced on the land. Storage capacity corresponds to overlapping harvest cohorts retained on the site over successive years. Converting tonnage into operational requirements highlights the space needed for pressing, fermentation, maturation, and dry goods storage. Bottling occurs only when maturation is complete and does not operate independently of production. These constraints prevent the activity from scaling beyond the holding or operating independently of it.
- 3.4 The internal layout of the proposed building reflects this constrained structure. Spaces are organised around a single inward-facing workflow, from grape reception through fermentation, maturation, bottling, and storage of finished wine awaiting dispatch. There is no room for parallel activities unrelated to that workflow. Circulation is limited to agricultural handling and machinery movement. The building contains no accommodation capable of supporting alternative use without a material change.
- 3.5 Paragraph A.1(d) of Part 6 of the GPDO excludes buildings not designed for agricultural purposes. Design intent is determined by the relationship between form, layout, and use. A building designed to house fermentation vessels, maturation storage, and bottling, exclusively for estate-grown grapes, is intended for agricultural purposes because those functions complete the viticultural cycle identified in Millington. On these facts, wine-making forms part of agriculture within the meaning of section 336 and the GPDO, and paragraph A.1(d) does not arise.

4 Exclusivity of Agricultural Use

- 4.1 All activities in the proposed building are confined to the handling, transformation, storage, and dispatch of wine produced solely from grapes grown on the holding. There is no intake of external produce, and no operational capacity to accept it without material reconfiguration. The scale and configuration of equipment are determined by estate yield rather than by external demand or third-party supply.
- 4.2 The absence of public access is a spatial condition rather than a management intention. The building contains no visitor routes, tasting facilities, retail areas, or spaces suitable for public use. Access points and internal circulation are aligned solely with the agricultural workflow for crop processing and storage. Without public

circulation space, non-agricultural occupation cannot occur.

- 4.3 There are no offices or facilities capable of operating independently of crop processing. Any staff accommodation present is ancillary to agricultural labour and does not introduce a separate use. Because the building's internal organisation does not permit parallel functions, exclusivity is achieved through physical constraints rather than reliance on future control.

5 Functional Necessity within the Agricultural System

- 5.1 Necessity is assessed against the fixed lawful baseline of viticulture as defined above, in accordance with Part 6 of the GPDO. Within that baseline, the proposed building accommodates processes that already occur lawfully on the holding and are required for the system to function. The building's scale is determined by estate yield, harvest intensity, and maturation duration, rather than by diversification or expansion.
- 5.2 Viticulture on the holding produces a volume of grapes that must be processed immediately at harvest and stored over multiple years. Fermentation requires vessels with specific height, hygiene, and environmental conditions. Maturation requires controlled storage capable of accommodating overlapping harvest cohorts, reflecting annual production of approximately 265,000 bottles. Bottling and associated dry goods storage require contiguous space to avoid repeated handling and degradation. These requirements arise cumulatively from the agricultural system and cannot be disaggregated.
- 5.3 Existing buildings on the holding lack the clearance, environmental control, and spatial continuity required to support these processes. Their reuse would fragment the production chain or require removing the crop from the holding, severing the relationship between land and output that defines agriculture under section 336 and Millington. Continued viticulture without the proposed building would therefore result in either loss of crop or displacement of agricultural activity off the holding.
- 5.4 The only lawful refusal condition under the necessity test would be that the agricultural system could operate without the building while maintaining its lawful baseline. On the facts of yield, processing requirements, and spatial constraints, that condition is not met.

6 Design Purpose under Paragraph A.1(d)

- 6.1 The building's design derives directly from the requirements of the agricultural system it supports. The form, materials, internal spans, and circulation respond to the dimensions of agricultural equipment, hygiene requirements for fermentation and maturation, and the storage geometry dictated by bottle and barrel handling. The layout does not permit alternative configurations without material changes.
- 6.2 A building designed to accommodate the processes that complete viticulture on the holding is intended for agricultural purposes within the meaning of Part 6 of the GPDO. No design feature enables or indicates non-agricultural use. Paragraph A.1(d) requires the presence of a building designed for a non-agricultural purpose; that condition does not arise.

7 Reasonable Necessity under Class A

- 7.1 Reasonable necessity is assessed by reference to whether the building is required to enable the continued lawful operation of the agricultural system defined by the baseline, as constrained by section 336, Millington, and Part 6 Class A of the GPDO. The proposed structure provides infrastructure for the system's intrinsic processes and does not introduce new activities, products, or relationships.
- 7.2 The scale of the building corresponds to the estate's yield and the temporal overlap arising from the multi-year maturation of wine produced from approximately 120 tonnes of estate-grown grapes annually. Reducing scale would prevent lawful viticulture on the holding by constraining fermentation or storage capacity. Increasing scale beyond those parameters would not be justified, and no such increase is proposed.
- 7.3 The necessary and sufficient refusal condition under Class A would be that the building exceeds the minimum requirements for supporting the existing agricultural system. Based on yield, process requirements, spatial constraints, and the confirmed lawful baseline under LDC DC/25/0679, that condition is not met. The system state is therefore compliant.

8 Part 6 Class A

Class A – agricultural development on units of 5 hectares or more

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—

(a) works for the erection, extension or alteration of a building; or

(b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.

- 8.1 The Proposal is for the construction of a viticultural barn in conjunction with a 45-hectare vineyard.

Development not permitted

A. 1 Development is not permitted by Class A if—

(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

- 8.2 Compliant: The land parcel exceeds 1 hectare, covering 1.47 hectares of the 45-hectare estate. This Site was selected to prevent new built forms on undeveloped areas of the National Landscape.

(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

- 8.3 Compliant: No Class Q or S development has taken place.

(c) it would consist of, or include, the erection, extension or alteration of a dwelling;

- 8.4 Compliant: The Proposal is for the construction of a viticultural store.

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

- 8.5 Compliant: The Proposal is for the construction of a viticultural store.

(e) the ground area which would be covered by—

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or

(ii) any building erected or extended or altered by virtue of Class A would exceed 1,500 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

8.6 Compliant: The Proposal's would only measure 1,220m².

(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

8.7 Compliant: The Proposal is not within 3km of an aerodrome.

(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

Compliant: The Proposal's height is 7m and therefore complies.

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

8.8 Compliant: The Proposal is located more than 25 metres from a metalled part of a trunk road or classified road.

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

8.9 Compliant: The Proposal would not be used for the accommodation of livestock nor the storage of slurry.

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

8.10 Compliant: The Proposal is solely for the construction of a viticultural barn.

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

(ii) is or would be within 400 metres of the curtilage of a protected building; or

8.11 Compliant: The Proposal is solely for the construction of a viticultural barn.

(l) the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.

8.12 Compliant: The Proposal is not within the curtilage of a scheduled monument.

Conditions

A. 2— (1) Development is permitted by Class A subject to the following conditions—

(a) where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;

(b) where the development involves—

(i) the extraction of any mineral from the land (including removal from any disused railway embankment); or

(ii) the removal of any mineral from a mineral-working deposit, the mineral is not moved off the unit;

8.13 Compliant: The Proposal does not require any mineral extraction or deposits.

(c) waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.

8.14 Compliant: No waste deposits shall be made as part of this Proposal.

(2) Subject to sub-paragraph (3), development consisting of—

(a) the erection, extension or alteration of a building;

(b) the formation or alteration of a private way;

(c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part, exceeds 0.5 hectares); or

(d) the placing or assembly of a tank in any waters,

8.15 Compliant: The Proposal and this application process fully comply with the prescribed conditions.

9 Overall Class A Determination

- 9.1 The assessment fixes the lawful baseline as a viticultural agricultural unit operating within the meaning of section 336 of the Town and Country Planning Act 1990, incorporating the cultivation of grapes and their conversion into wine as a single agricultural system. That baseline is reinforced by established case law, including *Millington v Secretary of State for the Environment, Transport and the Regions*, and by an extant Lawful Development Certificate (ref. DC/25/0679) confirming wine-making from estate-grown grapes as agriculture on this holding. No alternative lawful baseline has been identified.
- 9.2 Within that baseline, the proposed building is assessed under Part 6, Class A, of the Town and Country Planning (General Permitted Development) (England) Order 2015. The agricultural unit exceeds the qualifying area threshold. The proposed floorspace and height fall within the prescribed limits. The building is located beyond the statutory distance from any classified road and does not engage any of the exclusions set out in paragraph A.1, including those relating to livestock, waste, or non-agricultural processes. No restriction under paragraph A.1 is triggered on the facts.
- 9.3 The proposed use of the building is limited to agricultural operations that complete the viticultural cycle on the holding. The internal layout, equipment accommodation, and circulation structure do not permit non-agricultural use without material change. The building is designed for agricultural purposes within the meaning of paragraph A.1(d), and no refusal pathway arises under that provision. The building's scale corresponds to estate yield and the temporal overlap created by multi-year maturation and storage, and the agricultural system cannot operate while maintaining its lawful baseline without the proposed accommodation. The necessary and sufficient refusal condition under the reasonable necessity test is therefore absent.
- 9.4 Siting, design, and external appearance fall within the scope of matters identified in paragraph A.2. The building is located within an established agricultural cluster. Its form and materials reflect its agricultural function, and no significant effects arise that would require modification or refusal within the limited prior approval jurisdiction. No additional policy gateways are engaged.
- 9.5 The development falls within Part 6, Class A of the GPDO. All limitations and conditions are satisfied, and no lawful basis exists on which the development could be treated as excluded from the permitted development right. The proposal is permitted development.

