



EAST SUSSEX COUNTY COUNCIL

Form NES.13.

TOWN AND COUNTRY PLANNING ACT, 1971

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1977

To:- H. P. Moreland,  
British Gypsum Ltd.,  
Gotham,  
Nottinghamshire.

Reference No.: RR/79/1364

In pursuance of their powers under the above-mentioned Act and Order, the Council, as the local planning authority, hereby GRANT PLANNING PERMISSION for **Underground mining of gypsum and to drill boreholes. Westdown, Fugshole & Glaziers Forge Farms and parts of Dallington Forest & Forge Wood in the Parishes of Burwash and Brightling.**

in accordance with your application received by the Borough/District Council on **11 July 1979** and the plans and particulars submitted in connection therewith and subject also to due compliance with the condition(s) specified hereunder:-

1. The development hereby permitted must be begun within the period of five years beginning on the date hereof.
2. **No treatment or processing of minerals shall be carried out on the surface of the land permitted for the mining of gypsum.**
3. **Notwithstanding the provision of the Town and Country Planning General Development Order 1977, no buildings, plant or machinery shall be erected on the surface of the land the subject of this submission unless planning permission therefor is obtained on application to the County Planning Authority.**
4. **The gypsum and associated minerals worked in pursuance of this permission shall be transferred only by means of existing underground workings and the aerial ropeway to the existing processing plant and shall not be transferred by public highway.**
5. **Before the drilling of boreholes is commenced the location and details of proposed boreholes shall be submitted to and approved by the County Planning Authority.**

The reasons for the conditions above are:

1. To comply with Section 41 of the Town and Country Planning Act, 1971.
- 2, 3, 4 and 5 To enable the County Planning Authority to regulate and control the use of the land and in the interest of the amenities of the area

over...../

Signed   
County Secretary

Date **12 SEP 1979**

Any enquiries should be addressed to:  
The County Planning Officer,  
County Planning Department,  
Southover Road,  
Lewes, East Sussex.

IMPORTANT -- Please read notes overleaf.

## NOTIFICATION AS REQUIRED BY THE TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1977

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DJ. The Secretary of State has power to allow a longer period for the giving of notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the Borough or District in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.

(3) In certain circumstances a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 169 of the Town and Country Planning Act 1971.

### NOTES

(1) This permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act, 1971, otherwise than under Sections 29-34 or which may be required under any other Acts, including any Byelaws, Orders or Regulations made under such other Acts.

(2) Developers are reminded that the grant of this permission does not entitle them to obstruct a right of way and that, if it is necessary to stop up or divert a public right of way to enable the development to be carried out, they should apply without delay:-

- (a) in the case of a footpath or bridleway, to the County Council for an order under Section 210 of the Town and Country Planning Act, 1971;
  - (b) in any other case to the Secretary of State for the Environment for an Order under Section 209 of the Town and Country Planning Act, 1971.
- (3) The applicant is recommended to retain this form with the title deeds of the property.

### IMPORTANT

Any failure to adhere to the details of the plans hereby approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act, 1971, in respect of which enforcement action may be taken.

If it is desired to depart in any way from the approved proposals, you should consult the Council at the address overleaf before carrying out the development.

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The following conditions are also imposed on the grant of the permission/outline permission to which this schedule is attached:—

6. Upon completion of use of any boreholes it shall be properly and sufficiently sealed over and covered with topsoil as the topmost layer and re-seeding or replanting shall then be carried out to the satisfaction of the County Planning Authority.
7. No mature trees shall be topped, lopped, felled or wilfully destroyed by or in connection with the drilling or other operations unless with the prior express consent of the County Planning Authority and any such tree felled or wilfully destroyed (whether with or without consent) shall be replaced by suitable tree of appropriate species to the satisfaction of the County Planning Authority unless the County Planning Authority waive this requirement.

The reasons for the conditions above are:

6 & 7. In the interests of visual amenity.

Any enquiries should be addressed to:  
The County Planning Officer,  
County Planning Department,  
Southover Road,  
Lewes, East Sussex

Signed  County Secretary  
Date **12 SEP 1979**