

**From:** [Ben Haywood](#)  
**To:** [Planning Comments \(SMDC\)](#)  
**Subject:** FW: Objections to the demolition of the Cross Inn at Cauldon Lowe- SMD...  
**Date:** 07 March 2025 17:22:04

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**From:** Paul Housiaux  
**Sent:** 28 February 2025 14:21  
**To:** Andrew Stokes  
**Subject:** Objections to the demolition of the Cross Inn at Cauldon Lowe- SMD...

Dear Mr. Stokes,  
I set out below my objections to the below cited planning applications.  
Please acknowledge receipt.

Yours sincerely,  
Paul Housiaux.

**Objections to the demolition of the Cross Inn at Cauldon Lowe-  
SMD/2024/0527**

I object to this application on the grounds set out below.

1. The proposed development on its face fails to demonstrate required compliance with (a) Section 191 of the Town and Country Planning Act 1990 ( T&CPA 1990) and also  
(b) Section 192 T&CPA 1990. and or  
(c) the guidance set out in Paragraph 001 1D17C001- 20140306 .  
(d)fails to meet the Definition set out in Section 191(2) T&CPA 1990.  
(e) Fails to comply with the Listed Building s and/or Conservation Area requirements  
(f)Fails to comply with Article 39 of the Town & Country( Development, Management Procedure)( England Order 2015.  
( g) Fails to demonstrate compliance with Article 40(7) of the above cited 2015 Order in that no or no sufficient information has been placed on the SMDC LPA Planning Register.  
(h) also None compliance with the requirements of S191(5)and/ or S192(3) and/ or Schedule 8 as to identify and thus as it pre dates both the Town and Country Planning Act provisions and procedures. This includes the provisions of S191 and 192, the relevant guidance cited above and the so called Certificate of Existing User provisions (CEU) currently being relied upon for the restoration of the caravan park.

1. The Cross Inn and it's attached car park are not and never have been covered by the CEU provisions and must therefore be considered in isolation for the current ongoing Caravan Park. There is and never has been any contiguity from a planning law or procedural stand point between the Caravan site and the free standing Cross Inn. On that basis there is no legal underpinning upon which this application can be validly granted. *Rather the Cross Inn should be both listed as an Ancient monument because of it long historical and architectural character.* No evidence has been supplied within

the application showing any expert analysis by the County Council Archeologist.

2. There has been no compliance with the Environmental Impact Regulations of 2017 without which the Applicants cannot show any current **or any downstream environmental impacts** of this proposal. On that basis alone it demonstrates a lacuna in compliance with current scientific standards and legal requirements as to global warming and climate change standards or requirements.
3. Additionally the application fails to comply with the SMDC LPA current ( 2016) policies on combatting climate change and global warming.
4. The proposal also amounts to a radical change to the current rural nature of the traditional open heathland and puts at risk the extant flora and fauna. The area is known to be a natural hunting ground for raptors such as little owls barn owls, tawny owls, buzzards, kites, and Peregrines.
5. The Cross Inn and its car park has its own unique Land ownership deeds and this includes restrictive covenants and user provisions and these must not be adversely damages or limited by the current application. As currently shown on the SMDC LPA public Planning website fails to meet these requirements. Additionally the application fails to meet the legal requirements as to Consultation as applicable since March 2016 in the SMDC LPA Statement of Community Involvement( SCI) - [ See also provisions of the Compulsory Purchase Act 2004.
6. The Cross Inn is a uniques **and long standing local asset** and should be listed by the SMDC LPA as 'a community asset' thus giving the Community the primary option of purchasing it as such. By virtue of the manner that this application has been presented and because of the failure of the SMDC LPA to comply with its duty of Consultation under the SCI and relevant case law decisions the SMDC LPA is in breach of its Legal Obligations, rendering the application SMD/2024/0527 invalid Ab initio and thus presents no valid basis for it to be heard or determined by the SMDC LPA PAC.
7. Please acknowledge receipt of these representations, arrange for them to be published on the above cited planning application and arrange for the Case Officer address the details of these objections.

Yours faithfully,  
Paul Housiaux  
Whiston Resident.  
28/02/2025.

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