

DC Admin

From:
Sent: 30 October 2025 18:17
To: DC Admin
Cc: Kerri Simpson
Subject: 2025/92156 Comment

The operative description for planning application 2020/93954 is “Proposed development of 57 No dwellings in 2 and 3 storey terraced houses, 3 storey semi detached and detached housing, flats and associated new road layout, footpaths, parking and open space”.

The *Armstrong v Secretary of State for Levelling-up, Housing and Communities & Anor* [2023] ruling clarified that section 73 applications aren’t limited to minor tweaks, provided they don’t alter the fundamental nature of the approved development.

The fundamental nature of application 2020/93954 restricts dwellings to no more than 3 storeys.

The court’s ruling means this application (2025/92156), in asking for 4 storeys, is not suited to a section 73.