

Agenda Item 06

Supplementary Information Planning Committee on 11 February, 2026

Case No.

25/1029

Location	7 Randall Avenue, London, NW2 7RL
Description	Proposed demolition of garage and x3 sheds and, erection of dwellinghouse with basement level, addition of new fence to south side of the site, provision of 2 car parking spaces, cycle and refuse storage, landscaping and associated access to land rear of 7 Randall Avenue.

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Further representation received

Since publishing the Committee Report an additional representation has been received.

To summarise, it specifies that the Committee Report overlooks key objections, misidentifies the proposal by ignoring itself build status, relies on undisclosed evidence, wrongly claims a BNG exemption, and therefore risks legally flawed decision making.

The consultation section of the report summaries the comments made on the application, and this is the method of report comments in planning reports. It has been noted that the is a general comment on the accuracy of the application forms stating that they should be corrected. This comment did not raise any specific issues and did not set out why any of the concerns would impact on the assessment of the application.

Paragraphs 90 -97 of the Committee Report provide an assessment in relation to Biodiversity Net Gain, where the issue of self-build exemption has been considered.

The applicant declared that the development was self-build exempt within the Application Form. Officers carried out further due diligence by requesting a Statement from the applicant regarding how the development met the guidelines. Whilst this was not made public and re-consulted upon it is not felt that anyone has been prejudiced, given that the intent of a self-build was declared on the publicly available and consulted upon Application Form.

Concerns have been raised that no appropriate mechanism has been proposed to secure that the development is carried out as a self-build. It is recommended that a condition is attached which prevents the implementation of the consent unless it is implemented as a self build development, and requires evidence to be provided to demonstrate that it has been implemented as a self build development. Such a condition would not prevent a subsequent sale of the property within the defined self build period. However, on balance is considered to result in an appropriate balance between the risk of sale within this period and the costs associated with entering into a Section 106 legal agreement. It is noted that permission has been granted through appeal (not within Brent) where these conditions have been used.

'Notwithstanding The Town and Country Planning (Use Classes) Order 1987 and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and/or re-enacting those orders with or without modification), the development shall not be constructed other than as self-build or custom build dwellings as defined under the Self build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) and shall not be used for any other purpose without express planning permission.'

Reason: In the interest of proper planning and to ensure compliance with The Biodiversity Net Gain Requirements (Exemptions) Regulations 2024 and Schedule 7A of the Town and Country Planning Act 1990.'

Within 6 months of the completion of the dwelling hereby approved, the following documents shall be submitted to and approved in writing by the Local Planning Authority confirming that the dwelling meets the statutory definition of self-built:

- *A building regulations completion certificate for the development;*
- *Title deed of the property to which this exemption relates;*

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- *A copy of a utility bill or bank statement showing the applicants name and address of the property; and*
- *A copy of one of the 3 following documents:*
 - *An approved claim from HM Revenue and Customs under "VAT431NB: VAT Refunds for DIY housebuilders" or replacement thereof;*
 - *Proof of a specialist Self-Build or Custom Build Warranty for the dwelling; or*
 - *Proof of an approved Self-Build or Custom Build Mortgage from a bank or building society for the dwelling.*

Revised plan received

- A revised site plan was received which includes the lightwell detail which was previously only included on the ground floor plan and not the site plan.

Recommendation: Continue to grant consent, subject to the conditions set out in the committee report and this supplementary report.

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