
SUMMARY REPORT

Application Ref:	20260243
Site Address:	The Woodlands, 217 Wrotham Road, Gravesend
Application Description:	Alterations to existing restaurant, including alterations to elevations, additional works to accommodate plant, new corral and bin store, demolition of existing single storey side extension with erection of new single storey side extension, minor external work to existing parking bays, creation of patio and other associated work.
Applicant:	McDonald's Restaurants Limited
Agent:	Sarah Carpenter, Planware Ltd
Ward:	Woodlands
Parish:	Non-Parish Area
Decision due date:	29 th April 2026
Publicity expiry date:	10 th April 2026
Decision Level:	Planning Committee
Reason for referral:	Member Call-in

The recommendation is that the Head of Planning be given delegated authority to refuse planning permission, for the reason set out below:

Revised Recommendation:

The Local Planning Authority consider that the proposed operational development would result in a material change of use from an E(b) restaurant to a mixed-use E(b) restaurant and sui generis takeaway. This would be within walking distance of schools and other locations where young people congregate, it does not promote healthy eating and would exacerbate existing high levels of obesity within the area. The proposal would therefore be contrary to paragraph 97 a) of the National Planning Policy Framework.

There is insufficient information submitted within the application to determine the presence of bats within the site. In the absence of this information, the proposal fails to fully assess the impact on protected wildlife species, contrary to Policy CS12 of the Gravesham Local Plan Core Strategy and The Conservation of Habitats and Species Regulations 2017.

Updated Summary of Reasons for Recommendations

It is considered that as a matter of fact and degree, the operational development results in a material change of use from the lawful E (b) restaurant use, to a mixed use E (b) restaurant and sui generis takeaway use.

This would be within walking distance of schools and other locations where young people congregate, it does not promote healthy eating and would exacerbate existing high levels of obesity within the area. The proposal would therefore be contrary to paragraph 97 a) of the National Planning Policy Framework.

Since the publication of the main agenda, KCC Biodiversity have responded to advise that the proposal has the potential to harm Bats, a protected species. KCC Biodiversity advise that a Preliminary Roost Assessment (PRA) is required, to comply with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/20051, which states "it is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision". As this information has not been submitted as part of the application, there is insufficient information submitted within the application to determine the presence of bats within the site. As such, the proposal fails to fully assess the impact on protected wildlife species, contrary to Policy CS12 of the Gravesham Local Plan Core Strategy and The Conservation of Habitats and Species Regulations 2017.

Supplementary Report

Ecology and Biodiversity

Biodiversity Net Gain

- 1.1. Following publication of the committee report for this application, KCC Biodiversity comments were received and so KCC Biodiversity matters can now be fully assessed as follows.
- 1.2. Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications for development (unless exempt) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development.
- 1.3. The applicant has submitted a Biodiversity Metric with recommendations and Feasibility Stage Report in support of the application. The submitted statutory biodiversity metric demonstrates that the proposed development would result achieve a gain of 10.76% which would achieve the minimum requirement of 10% BNG. KCC Biodiversity did query the correct site area for the site, this has been subsequently clarified, with the site area utilised for the Biodiversity Metric being correct. The recommendations to achieve this net gain include the planting of two native trees, and planting 15m of native hedgerow.
- 1.4. KCC Biodiversity have confirmed that subject to the area of habitats within the site not increasing the baseline value of the site, they consider that the proposed habitat creation/enhancement and proposed uplift of 10.76% BNG to be realistic and achievable.
- 1.5. KCC Biodiversity have commented on the scheme advising that additional information is required in the form of a Preliminary Roost Assessment. They state; that the proposal involves demolition and alterations to the existing structure, which may contain potential roost features that could support roosting bats. It as complex structure including features such as multiple roof junctions, chimney stacks, eaves and soffits, that could provide gaps and crevices suitable for roosting bats, with mature trees also present on site and evidence from Kent and Medway Records Centre of foraging bats previously identified in the surrounding area.

- 1.6. Due to the lack of a Preliminary Roost Assessment, there is insufficient information submitted within the application to determine the presence of bats within the site. In the absence of this information, the proposal fails to fully assess the impact on protected wildlife species, contrary to Policy CS12 of the Gravesham Local Plan Core Strategy and The Conservation of Habitats and Species Regulations 2017.
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2. Revised Recommendation

- 2.1. The recommendation is that the Head of Planning be given delegated authority to refuse planning permission, for the reason set out below:
 - 2.2. The Local Planning Authority consider that the proposed operational development would result in a material change of use from an E(b) restaurant to a mixed-use E(b) restaurant and sui generis takeaway. This would be within walking distance of schools and other locations where young people congregate, it does not promote healthy eating and would exacerbate existing high levels of obesity within the area. The proposal would therefore be contrary to paragraph 97 a) of the National Planning Policy Framework.
 - 2.3. There is insufficient information submitted within the application to determine the presence of bats within the site. In the absence of this information, the proposal fails to fully assess the impact on protected wildlife species, contrary to Policy CS12 of the Gravesham Local Plan Core Strategy and The Conservation of Habitats and Species Regulations 2017.
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