



Save Dreamland Campaign
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Strategic Planning Team
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Dear Sir/Madam

Thanet Local Plan: Proposed Modifications, February 2006
Objector Ref: 4006/10277-10279
Objections to Modification M8.6

We are writing regarding Chapter 8 – Tourism and specifically Policy T11 (Dreamland). This letter contains our formal objections and should be read alongside the enclosed Comments Form.

The Save Dreamland Campaign now speaks on behalf of several thousand local residents, businesses, visitors to Margate and a number of key local, national and international organisations (our total membership numbers around 14,000). We have some fundamental concerns regarding the Proposed Modifications. The 'Statement of Council's Decisions and Reasons' document (hereafter referred to as 'the Reasons') suggests that the Council has misunderstood the crucial points made by the Inspector. In this letter, I set out briefly why we consider this to be the case and what we consider will be the likely outcome if the Council chooses to proceed on the basis of the policy as currently proposed. We also provide suggested changes that would remove our objections and other changes that, whilst not removing our objections, would deal with some of the contradictions/inconsistencies within the Policy as currently drafted.

Our Objections

The Reasons state that the Inspector's recommendations have been rejected because "*it would not be acceptable to simply revert to a Policy that was first proposed in 2001*". This policy was proposed when Dreamland was in operation, because the Council was concerned that there may be an attempt to run it down and apply to have it redeveloped. The Council wanted to control the amount of redevelopment allowed on the site and they also wanted to ensure that there is investment in the amusement park alongside any redevelopment. That policy made a lot of sense, given the acknowledged importance of the site to Margate's tourism economy as by far the most popular commercial visitor attraction in Thanet.

It actually makes little sense to suggest that the policy is no longer "acceptable", when the very situation that the policy was designed to address has now actually arisen (i.e. an attempt to close the park and redevelop it). In fact, as the Inspector pointed out, all the consultations so far carried out on this policy have either

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supported the policy or asked for it to be strengthened. The Policy was changed, again as pointed out by the Inspector, following a private meeting with the site's owner (a meeting that took place after the closing of the statutory consultation period). I quote from paragraph 85 of the Inspector's Report:

“Policy T11 was re-written after private discussions with the owner of the site. This took place after the consultation period on the FDD. No record of the meeting has been presented in evidence. Elected members were apparently persuaded that Dreamland is not likely to continue trading in the traditional form and were influenced by the risk of dereliction.”

The Policy that emerged after this private meeting bore no relation to the results of that statutory consultation period, nor to the advice of officers following the first consultation period. It is therefore unacceptable for the Council to suggest that this policy is no longer appropriate, when every single part of the statutory process (every consultation stage and the Inspector's Report) has backed it. Given the Inspector's comments above, the Council's reasoning raises serious questions about the process by which the Council has made these changes (something this Campaign will be investigating further and, if necessary, taking action on at the appropriate time).

The Reasons also question the viability of the amusement park. We have never been persuaded by statements from the owners of Dreamland that it is not viable and neither was the Inspector. It is merely what the owners would like the Council to believe, so that they can release this important site for redevelopment. We know for a fact that the fairground operator who ran the park in 2003 and 2004 had success with the park – he told the media at the end of each of the seasons! We also know that a number of well-established amusement park operators are willing to acquire the site at full, independently-assessed open market value for an amusement park (not residential or retail value) and invest millions of pounds in new rides and attractions. This includes Philip Miller MBE, the owner of Southend's massively successful, 52 weeks-a-year Adventure Island, who presented “compelling” evidence to the Inquiry. He has recently met with Council officers and members and confirmed his continued interest in acquiring and operating the site. The Inspector was clear that the ‘problems’ with Dreamland are problems of management (see paragraphs 77, 83 and 99 of his Report) – he was convinced that the park could “thrive”. So are we. And so, it appears from the recent consultations, are most of Margate's residents.

The Policy as currently proposed is something of a ‘fudge’, and has some significant internal contradictions which would make it both unsound and unworkable. In terms of dealing with the Inspector's concerns, it is little better than the policy in the Revised Draft Local Plan and would therefore be unlikely to find much support from him.

The fundamental point that the Council appears to have missed is the implications of land value. The Council's case at the Inquiry was that the redrafted policy did not preclude the use of the site as an amusement park. But that is exactly what it does. With the prospect of uses such as residential, retail and commercial leisure (as opposed to the much less valuable tourist attraction use), it has made it impossible for any amusement park operator to acquire the site. I know that more than one established operator has had direct talks with the owners regarding acquisition of the park and that offers have been made. On these occasions, the owner was holding out for a much bigger prize. A great opportunity, which we believe will be the catalyst for the regeneration of Margate, will be lost because of the inflated land value the Council has created.

The Inspector was not persuaded by the Council's arguments, nor was he persuaded by the proposed policy wording:

“Such a ‘policy’ maximises speculative interest in the site and encourages hope-values beyond any ordinary expectation.” (Para 93)

In his report to Full Council on 19 January 2006, your officer stated that this policy *“allows amusement park issues to be explored”*, but he also stated that accepting the Inspector's recommendations in full may not succeed because *“hope values may well have been raised”*. Your officer does not appear to recognise the contradiction in that statement, which is one of the main reasons why this policy will not work. If your officer was concerned that hope values will prevent the continuation of the amusement park should the Inspector's recommendations have been accepted, then how can the Council realistically expect the amusement park to have any hope of remaining under the Policy as currently worded, where the carrot of redevelopment is dangled in front of the owner? The fact that the Council appears to believe that this policy can possibly go any way to addressing the Inspector's concerns quite simply beggars belief.

There are more contradictions. The Inspector made reference to Paragraph 8.49 of the RDD (*“there is real concern that there may be pressure for redevelopment in the future for an alternative use, thus losing a significant attraction”*) at paragraph 96 of his report. He then stated:

“...Policy T11, in the RDD version, would generate the very harmful pressure which the Development Plan seeks to avert.”

The Policy still generates this pressure as it has not removed the speculation and hope value.

There is also the matter of compulsory purchase. The Inspector said:

“This scenario would hinder any prospect of compulsory purchase, should such an eventuality ever arise.” (Para 93)

The Proposed Modifications have not dealt with this criticism either. This Policy will make compulsory purchase very difficult, as it would need to involve a significant amount of taxpayer's money to overcome the speculative land values the Policy has created.

In addition, there is a sizeable contradiction between Parts 1 and 2 of the Policy. Part 1 makes it clear that the Council's priority is to see the attractiveness of the Dreamland Amusement Park be improved. It takes the sensible approach of allowing for some redevelopment *“of a limited part of the site”* as long as it assures the viability of the amusement park. But then, Part 2 introduces a test which only has to show that *“it is not economically viable to operate an amusement park on the whole or majority of the site in the foreseeable future”*, which (if passed) allows for the site's complete redevelopment. This Policy does not take into account the fact that it might be possible to operate an amusement park on a smaller part of the site (for example, on half of the site). This means that, in the event that it is not possible to operate the entire 6½ hectares, the entire amusement park could be lost, even though it may be viable to operate an amusement park on a smaller area. This also has implications on the setting of the listed buildings (see below).

Amusement parks require considerable investment. The rides that are installed in the main seaside parks around the UK are often permanent, custom-built structures, costing many millions of pounds and requiring the park to operate for several years to

get a sufficient return on investment. The policy as currently proposed provides no incentive for the owners to invest; in fact, it gives the owners many reasons not to. The best that Margate can hope for under this policy is a travelling fairground operation, similar to the last three years, with no investment in infrastructure, landscaping or permanent rides and attractions. The aim will be to demonstrate that an amusement park is not viable to allow the developer to progress with a more lucrative development. There is already evidence of this, as an advert has been placed in the travelling fairground trade newspaper 'World's Fair' offering a short-term lease of up to three years "pending redevelopment".

I would also like to highlight another major flaw in the Policy: its treatment of the Scenic Railway. Whilst we welcome recognition of the structure in the Policy, the idea that the Scenic Railway should be retained in a "parkland" or "green park" setting suggests a complete misunderstanding of listed building legislation. I assume this 'idea' came from the discredited Margate Masterplan, about which the Inspector said:

"[The Margate Masterplan] shows the retention of the Scenic Railway in situ, as the centre of a landmark open space, and the Cinema on the frontage as a key historic landmark. This Framework is based on a false assumption that the amusement park is no longer in operation." (Para 102)

The Inspector was unequivocal about the Scenic Railway:

"The setting of the [Scenic Railway] is also to be conserved, in accordance with Government policy in PPG15. This restriction would seriously prejudice any proposal to use the site for anything other than an amusement park." (Para 93)

What is now proposed in the plan is no more appropriate as a setting for the Scenic Railway than a car park or a housing estate. Whilst we accept that there was once grass and trees in the area of land behind the Scenic Railway, the structure has always been part of an active amusement park. It cannot be acceptable for a Local Plan policy to specifically encourage the loss of a listed building's setting when that setting has statutory protection!

Changes we are seeking that would resolve the objection

The UK planning system is plan-led: this gives certainty to communities and to businesses. The Inspector was highly critical of the Council's policy on Dreamland because it failed to meet this requirement. As I hope we have demonstrated, the Proposed Modification also fails on this front. It will simply result in further delays, prolonged uncertainty and eventually the loss of Thanet's biggest tourist attraction.

In summary, the policy allows other uses on the site, which will result in continued speculative interest and hope value. There will be little incentive for the owner to invest in a permanent amusement park. It also means that amusement park operators will be unable to acquire the site as land values will be too high. It is therefore unlikely that Dreamland Amusement Park will survive in the long term.

We therefore request that Policy T11 be deleted and replaced with the policy recommended by the Inspector (i.e. Recommendation 107(iii) on Page 411 of the Inspector's Report).

We now make a number of suggestions that would improve the policy, should the Council decide not to accept the Inspector's recommendations. These suggestions are made without prejudice to our above objections and would not resolve our objection. They would, however, deal with some of the contradictions within the policy:

1. The first paragraph of Part 2 of the policy should be amended to allow for a smaller amusement park to operate on the site, should it be demonstrated that it is not economically viable to operate an amusement park on the whole or majority of the site. We suggest the following revised wording:

“IN THE EVENT THAT EVIDENCE, IN THE FORM OF AN INDEPENDENT PROFESSIONAL ASSESSMENT IS SUBMITTED (AND ACCEPTED BY THE COUNCIL) AS DEMONSTRATING THAT IT IS NOT ECONOMICALLY VIABLE TO OPERATE AN AMUSEMENT PARK ON ~~THE WHOLE OR MAJORITY~~ SOME OR ALL OF THE SITE IN THE FORESEEABLE FUTURE, THEN PROPOSALS FOR REDEVELOPMENT MAY BE ACCEPTED SUBJECT TO:...”

2. Clause (v) of the Policy should be amended to require an appropriate setting for the Scenic Railway, as follows:

“(v) RETENTION OF THE SCENIC RAILWAY IN SITU AS AN OPERATING FEATURE WITHIN A ~~GREEN~~ AN AMUSEMENT PARK SETTING APPROPRIATE TO ITS CHARACTER AS A LISTED BUILDING;...”

3. Some of the supporting text is not in line with Part 1 of the policy, as it makes reference to what is clearly meant to be enabling development, without any requirement to secure the future of the amusement park (i.e. it requires the funds to “enable the leisure proposals to proceed” or to “enable other aspects of the site’s development”). This will need to be amended, both to ensure its compliance with the Policy, but also to bring it in line with the ‘without prejudice’ changes we have suggested above. It also needs to make reference to an appropriate setting for the Scenic Railway:

“A residential element may also be appropriate on the site, but only at a scale necessary to enable the leisure proposals to proceed, contribute to the new access road and enable other aspects of the site’s development and supporting infrastructure to take place including providing an appropriate parkland setting to the Scenic Railway. A green park around the scenic railway as a central feature would be required in order to provide an appropriate setting and high quality amenity space with pedestrian links within and beyond the site ensure the future viability of the amusement park, including providing an appropriate setting to the Scenic Railway. The setting of the Scenic Railway as an amusement park should be protected. A limited amount of retail use, restricted to the sale of goods in connection with the leisure and tourism elements on the site may be appropriate. A small (below 500sq m) convenience store to serve the immediate residential area and visitors would be acceptable.”

4. Supporting text should be inserted after the policy, clarifying the viability evidence that the Council will require, as follows:

“The Council will not accept viability evidence based on the site being operated as a ‘travelling fair’ with temporary rides for a small number of seasons – the viability evidence should relate to the site being operated as an amusement park for sufficient time to achieve a return on investment. The land value assumed in the assessment should be as an amusement park, not other uses.”

In addition, it should also explain the following:

“The policy takes a sequential approach to the viability of an amusement park on the site. If it is demonstrated that it is not economically viable to operate the whole site as an amusement park, the Council will expect to see similar viability evidence on progressively smaller operations. The Council will only grant planning permission for a development which removes all amusement park activity from the site (excluding the Scenic Railway) in exceptional circumstances.”

I trust that our position is clear, but please do not hesitate to contact me should you require any clarification.

Yours sincerely
for the Save Dreamland Campaign

Nick Laister BA (Hons) DipTP MRTPI MIPI MIHT
Campaign Leader

Enc. Comments Form

cc. Sandy Ezekiel, Council Leader
Richard Samuel/John Bunnett, Thanet District Council
Councillors