

Comment ID 58
Examination into the
Medway Draft Core Strategy Development Plan Document

19th June 2012

Representations not falling within Inspector's Main Matters and Issues

Submissions in respect of

**River Medway related issues
with particular reference to Port Medway Marina**

Anna Bloomfield BA(Hons) MRTPI
Bloomfields Ltd
Bloomfields Ltd
66, College Road
Maidstone
Kent
ME15 6SJ

May 2012

River Medway

1.0 Introduction

- 1.1 This submission is made within the context of Strategic Objective no.11 which is: *“To enhance the quality of life of local people through the promotion of healthier lifestyles and the provision of improved cultural, sporting, leisure and tourism facilities, including along the River Medway.”*
- 1.2 This objective is welcomed. The purpose of this submission is to explain how Port Medway Marina, in particular, and many other River Medway related sites in general should be treated in planning terms in order to assist Medway Council achieve this objective.
- 1.3 Of particular concern is the tension between a raft of, generally supportive, draft Core Strategy policies relating to river related activities and development and the broader “wash” of countryside protection policies which tend to weigh heavily in the balance when planning applications are determined.
- 1.4 It is therefore necessary for greater weight to be given to those river-based developments that enhance the local economy, in accordance with the broad thrust of NPPF policy. Until a better balance can be included in the Core Strategy, the Council will always be able to resist river-based development, despite suggesting otherwise.
- 1.5 Details of Port Medway Marina have already been submitted in the context of the original submission, so are not repeated for the sake of brevity. However, it is important to note that Port Medway Marina is an important employer and adds to the wider economy through the multiplier effect. Key facts are attached as **Appendix A**.
- 1.6 The owners and operators of Port Medway Marina have struggled against the odds to create a successful marina but planning related issues have been central to the inability of this site to flourish as it should. Although it is appreciated that the current submission should more properly relate to wider River Medway issues, the letter to the Prime Minister – attached as **Appendix B** – is an indicator of the difficulties that have arisen over several decades.
- 1.7 While that is an extreme example, Bloomfields Ltd also acts on behalf of at least six other marinas, wharves or boatyards on the River Medway (and the Swale Estuary). The experience of all owners/operators of these sites has, almost without exception, been a difficult one where planning related matters have been concerned.
- 1.8 This submission is being made to urge the Inspector to ensure that the Local Planning Authority pays due regard to the important role that the River Medway

did once, and still can, play in boosting not only the economy but also in the provision of additional residential accommodation in the form of houseboats (which are covered by a separate submission), river buses and leisure and sporting activities.

2.0 The benefits of marine activity to the UK economy

2.1 There is much data available on this issue. For example this can be found in the *Benefits of UK Leisure Boating Industry (2006)* and the *UK, Leisure, Superyacht and Small Commercial Marine Industry, Key Performance Indicators 2010/2011*, both produced by the British Marine Federation.

2.2 If the Inspector wishes to have copies of the full documents this can be arranged but it has been assumed not, having regard to paragraphs 9.6 to 9.8 of the Guidance Notes. However, in summary:

- The overall economic benefit to the UK from the Marine Industry is £3.1 billion per annum for direct business benefits only.
- The overall economic benefit to the UK of coastal marinas only is estimated at £700m and supports 22,000 local jobs (this includes direct business benefits, supply chain benefits and tourism/leisure benefits).

3.0 The economy of the River Medway

3.1 The River Medway lies almost entirely in Kent and flows for 70 miles from just inside the West Sussex border to the point where it enters the Thames Estuary near Garrison Point at Sheerness. It has a catchment area of 930 square miles, which is the largest in southern England.

3.2 The current dearth of facilities on the River Medway is resulting in its inexorable decline and the death of a major asset. The closure of many wharves and, more recently Sun Pier, has resulted in barren areas (some due to be regenerated, but not with river related uses) and much dereliction. Siltation in particular is becoming a serious problem due to the lack of activity on the river and lack of dredging, which is an essential component in keeping the river flowing.

3.3 When Chatham Dockyard was closed all the skills of the marine industry were available in the area and many small business were established using redundancy and business initiative funds. Strood and Rochester Riverside was buoyant with thriving small businesses until they were forced to close due to the compulsory purchase of land by Medway Council.

3.4 To illustrate the impact, time taken to supply and fit a new boat canopy is:

- The Solent, 2012: 4 to 5 weeks
- River Medway, 1990: 3 to 4 weeks
- River Medway, 2012: 10 to 14 months

- 3.5 The British Marine Federation has confirmed that the marine industry on the Solent contributes £300m per annum to the local economy and provides 2,700 jobs. That area is of similar size to the River Medway but the latter enjoys a better location being so close to London, the Thames Estuary and a gateway to Europe.
- 3.6 An estimate of comparable figures suggests the River Medway currently contributes some £8.4m to the local economy (just 2.8% of that on the Solent) with a similarly small percentage of river related jobs. The only difference between the two areas is the enthusiasm and dedication of the Local Council to provide facilities and promote the Solent.
- 3.7 General comparisons between the Solent and the River Medway:
- There are approximately 28,000 boats on the Solent compared to 3,500 on the Medway
 - There are 29 marinas on the Solent providing 20,136 moorings compared to 7 marinas and 600 moorings on the Medway.
 - There are approximately 72 public access points to disembark from a vessel on the Solent and just one on the Medway. Even this is located on the wrong side of Rochester Bridge as its height limit rules out most sailing boats and any vessel with a high air draft.
- 3.8 The letter to David Cameron (Appendix B) sets out a picture of steady decline and excessively long decision making. This must be reversed in order to stand any chance of attracting visitors and encouraging boats back onto the river. Facilities are desperately needed but planning policies seem to give added weight to countryside protection over the river economy.
- 3.9 Although this representation has been made by Port Medway Marina, the owners/operators have interests in many other parts of the River Medway. Indeed, they have plans for a project at Strood which would provide another 150 berths, with other plans to provide a further 2,000 berths on the Medway, plus a river bus.
- 3.10 These are not new ideas but have been considered over many years. This is recognised in the letter from Bloomfields attached as **Appendix C** dated 4th August 2008, to the Head of Regeneration, Community and Culture. Despite this meeting and many requests for a response to this letter, no reply has ever been received in *almost four years*. This is a powerful testament to the attitude of Medway Council to the river which gave the council its name.
- 3.11 There must be a significant change in the approach to the River Medway in the context of the Core Strategy. Acknowledging that there is a short chapter on this subject, it is an issue that, literally, runs through the whole Core Strategy

and it should be at its heart, with a positive presumption made towards river related developments.

4.0 Core Strategy policies

- 4.1 Some river-based businesses in Medway (such as Port Medway Marina) are located within a Strategic Gap, which is a policy relating to separation as opposed to countryside protection. This constitutes an unnecessary policy designation, given the existence of the River Medway which has the effect of separating settlements in general. It is also outdated having regard to removal of the designation in the South East Plan.
- 4.2 Landscape protection policies relating to Areas of Outstanding Natural Beauty, Special Landscape Areas and Areas of Local Landscape Importance also tend to presume against development. While the importance of protecting the landscape and countryside is accepted, there should be better opportunities to balance these considerations with those of the wider river economy.
- 4.3 Examples of this tension abound in the draft Core Strategy. The following policies are assessed and ways to make them sound are then suggested. With the abolition of PPS12 and introduction of the NPPF, the soundness tests are now included in paragraph 182.

Policy CS1: Regenerating Medway.

The overall aim of this policy, especially the second and third bullet points, is supported, but the importance of the River Medway *per se* for all forms of development (including for water-related recreational facilities) should also be listed.

This policy omits a key element in the Medway Council area and fails the “justification” test so is unsound.

The policy should include: “The promotion of the River Medway as a facilitator for the provision of a wider economic base including river-based commercial, residential, tourism and recreation related development.”

Policy CS10: Sport and Recreation.

The overall aim of this policy is supported but there is no mention of water-related recreational facilities. Paragraph 4.127 does not even mention the Council’s major recreational water asset.

This policy omits the River Medway and fails the “justification” test so is unsound. Furthermore, it is not wholly consistent with national policy in

that it fails to consider water sports and recreation in accordance with paragraph 73 of the NPPF.

It should include the following: “Encourage the development of sport and recreation activities based upon the River Medway.”

Policy CS11: Culture and Leisure.

Previous comments also apply.

The policy should specifically refer to the River Medway at the end.

Policy CS17: Economic Development.

The broad aim of this policy is welcomed, where it supports the stimulation of a more creative use of the River Medway in conjunction with the development of riverside sites. However this, and other, aims need to be implemented and the current history of decision making does not bode well. The positive approach must be translated into practice, in accordance with paragraphs 17 to 21 of the NPPF.

This does not necessarily mean that the policy is unsound (where river related issues only are concerned).

However, a further bullet point adding “river related employment” could usefully be added.

Policy CS18: Tourism.

Whilst the wording of this policy covers a wide range of tourist related activities and destinations, it fails to make any mention of a key asset – the river. Port Medway Marina, and other marinas in Medway Council area, could all assist in boosting tourism if given encouragement and support.

This policy does not recognise the river so fails the “justification” test and is unsound.

The policy should include: “The Council will seek to secure..... more tourist related activities that focus upon the River Medway itself...”

Policy CS24: Transport and Movement.

The “safeguarding” of wharves and port capacity, together with piers and landing places is a good start but one that the council itself has failed to implement in that as it allowed Sun Pier (in its ownership) to be lost despite Port Medway Marina’s offer to repair and operate this at no cost to the Council. One must therefore question whether words would be translated into actions.

It is not clear that the needs of River Medway users have been objectively assessed so the policy fails the first test in paragraph 182 and is therefore unsound.

The policy should state that it will support the improvement and/or expansion of the above facilities, since in that way it will inspire confidence amongst landowners and the business sector.

In the transport section it is noteworthy that specific mention is made, in paragraphs 8.24 and 8.26, to Stoke Airfield which is a small microlight site. That is a recreation facility not a transport hub (unlike Rochester Airport). If that site is to be included it is not logical to exclude Port Medway Marina – which is the largest marina on the River Medway, not to mention all other marinas in Medway. *This site, and other marinas, should therefore also be included.*

Policy CS25: The River Medway.

Chapter 9 and associated policy is welcomed, *but only* if its aims are implemented. It is easy to imply that marine leisure activities will be supported but, while many river based sites, including Port Medway Marina, remain within areas of protected countryside, then doubts regarding future development prospects will remain. The ecological importance of the river itself (as set out in paragraphs 9.8 to 9.10) and flooding issues, (set out in paragraphs 9.11 to 9.12), will clearly need to be weighed in the balance (paragraphs 109, 113, 114, 117, 118 and the Technical Guidance to the NPPF refer). However, economic and recreation/tourism interests must be given due weight also in accordance with the NPPF (paragraphs 17 to 21 and 28 refer).

This policy does not refer to tourism (or river related residential development in the form of house boats, which are covered separately) so is unsound.

Fig 9.1 fails to recognise *most* marinas, for example all those south west of the M2 bridge (Port Medway Marina, Cuxton Marina and Elmhaven Marina) are not identified, nor is Brambletree Wharf.

The policy should be amended to add “leisure and tourism activities on and along the river....” Clarification as to the weight afforded river related activities should also be inserted within the Explanatory Text.

Furthermore, a correct plan that accurately reflects those facilities that currently exist on the River Medway should be prepared.

Policy CS32: Medway Valley.

The following comments are specific to Port Medway Marina. While the retention and development of local services and facilities in Cuxton is welcomed, Port Medway Marina is not identified. The diagram also shows no Strategic Gap policy or Area of Local Landscape Importance, so it is hoped this demonstrates the intention of the Council to remove these designations. It is surprising that paragraph 10.88 of the Explanatory Text makes specific reference to Cuxton Marina and identifies this as an employment site, yet fails to mention the – significantly larger – Port Medway Marina.

Existing services and facilities have not been objectively assessed so the policy fails the first test in paragraph 182 and is therefore unsound.

The existence of Port Medway Marina and its importance for employment should be recognised in the Explanatory Text.

Anna Bloomfield BA(Hons) MRTPI
Bloomfields Ltd
May 2012

Appendix A

Port Medway Marina – facts

Port Medway Marina is a 27 acre freehold site with 1 km of river frontage comprising:

- 600 metres of fully serviced floating pontoon.
- 350 metres fully serviced half-tide pontoons.
- Over 1km of quayside moorings.
- 2 acres of hard standing.
- 20 ton boat hoist.
- 2 dry-docks – one with the capacity for vessels up to 38 metre long x 400 ton, one with the capacity for vessels up to 28 metre long x 250 ton.
- Floating bar and restaurant with a capacity of 300 people on three floors.

Over the next few months the following facilities will be added:

- 65 ton boat hoist.
- 60 ton hydraulic boat mover.
- 7 acres of hard standing.
- Dry-dock with the capacity for vessels up to 50 metre long x 800 ton.

Port Medway Marina offers a wide range of services and facilities for both the leisure and the commercial Industry which overlap to provide the best of both worlds. Our team of engineers, electricians, carpenters, plumbers, welders and associated staff are equally at home working on a 300 ton barge or ocean going tug as they are on a 10 metre cruiser and combine the experience of both industries.

Construction equipment on site includes:

- 30 metre crane and piling barge.
- 28 metre tug.
- 18 metre tug.
- 8 metre tug.
- 10 metre dredger.
- 10 metre waste clearance vessel.
- Various other craft including 2 work boats and working pontoons.
- Various land based machines including excavators, bull dozers.
- Forklifts.
- dumpers, tractors and
- a 40 ton mobile crane.

Appendix B

Port Medway Marina Ltd

Reg In England No. 2484905
VAT Reg. No. 565 4705 24



Station Road,
Cuxton, Rochester
Kent ME2 1AB
Tel: 01634 720033
Fax: 01634 720315



Email: enquiries@portmedway.co.uk
Web: www.portmedwaymarina.co.uk

The Rt Hon David Cameron MP
10 Downing Street
London
SW1A 2AA

21 April 2011

Dear Prime Minister

Help for a small business

This is a letter of sheer desperation in an attempt to allow me to expand and develop my business without the fight against bureaucracy - responsibility without accountability and a plea for help for a billion pound resource which has been disregarded and is suffocating under the pressure of ignorance – The River Medway.

I will endeavour to keep this document as short as possible but this will be very difficult considering the amount of correspondence available relating to my business alone without involving the fight for the Medway. My story spans two decades of fighting and frustration for a project which provides employment, recreation and wealth to an area which otherwise would be a blight on the landscape. I could understand if there was opposition to the project but it ticks all the right boxes for Government and Local Council policies together with being a spectacular asset to the community.

My name is David Taylor and I own and operate Port Medway Marina, a 27 acre site on the banks of the River Medway adjacent to Cuxton Station in Kent.

I purchased in March 1990 the old Auto-Marine boatyard which was established in 1932 but was rundown with hundreds of dilapidated boats, caravans and cars. See our website www.portmedwaymarina.co.uk for our history and the facility now established from determination and hard work. I have designed, financed, developed and built the whole site from scratch using all our own equipment both land and water based.

In 1990 the River Medway was a busy highway with commercial traffic and hundreds of pleasure craft. The commercial wharfs were buzzing and gaining strength after recovering from the closure of Chatham Dockyard in 1984 and recreation was building with enormous potential to expand both with visiting craft from all over Europe and vessels permanently moored on the river. The River Medway is almost entirely in Kent

and flows for 70 miles from just inside the West Sussex border to the point where it enters the Thames Estuary near Garrison Point at Sheerness. It has a catchment area of 930 square miles – the largest in southern England and can be dated back to the Iron Age. Alongside the Thames it is the gateway to Europe and should be the busiest in the UK – but it's not?

The Medway is now a far cry from its former glory. There is no longer any commercial traffic because all the wharfs have been closed and there are only a handful of pleasure boats being used. With little use of the river the mud and silt is building at an alarming rate and unless action is taken very soon the river will certainly be down to a trickle and may not be navigable within the next 50 years. Our slipway has built up approximately 4 m of silt over the last 20 years and the siltation is accelerating as more salt-marsh grass is taking hold of the foreshore.

Although Port Medway has expanded over the last two decades there has been a constant fight with Medway Council. As a result of the Council, the Environment Agency and all the other bureaucratic opponents in existence the Marine industry on the Medway is grinding to a halt. Even in the present economic climate there is so much opportunity available in both tourism and the Marine industry and millions of pounds of business could be generated if small businesses like ours were allowed to flourish.

When I started this project I envisaged a seven year programme to completion by which time I would be employing some 50 people with an annual turnover of £2.5 million together with generating another £2 to £3 million in the local economy by way of associated businesses. After 21 years our turnover is just over £700,000 and we employ only 6 people. A perfect example of how bureaucracy has acted as a brake on business growth, development and employment. We should be a major employer in the area by now and be easily adding in excess of £10 million to the economy.

Planning has been a nightmare over the last 20 years even our second phase of pontoons took 115 months to determine. I list below details and the time taken to determine our planning applications.

<u>Reference</u>	<u>Date submitted</u>	<u>Date approved</u>	<u>Time period</u>	<u>Decision</u>
ME/90/0408	12-April 1990			never determined
Proposed two storey development to include ground floor garaging, first floor offices, car parking and land fill.				
ME/90/0452	11-May-1990	5-July-1990	2 months	Approved
Piling to provide new pontoon and mooring facilities, phase one.				
ME/90/0645	18-Jun-1990	20-Nov-1990	5 months	Approved
Infilling of land with inert material, phase one.				
ME/90/0644	17-July-1990			never determined
Two storey development to provide offices, garages, retail, bar and restaurant.				
ME/90/0760	4-Sept-1990	7-April- 2000	115 months	Approved
Reclamation of land for use of amenity space with provision of access to mooring facilities, phase two.				

ME/90/0761 **4-Sept-1990** **7-April-2000** **115 months** **Approved**
Replacement of existing pontoons, new piling, pier and river works, phase two.

ME/90/0995 **26-Nov-1990** **never determined**
Proposed Barge/Restaurant together with wc/shower/laundry single storey building.

Reference **Date submitted** **Decision rec** **Time period** **Decision**

ME/93/0904 **10-Dec-1993** **never determined**
Sitting of portable buildings for use as offices, security unit, showroom, store and toilet block.

ME/96/0624 **11-Sept-1996** **26-March-1998** **18 months** **Approved**
Mooring of floating bar and restaurant ship – The Rochester Queen.

ME/99/6092 **8-Dec-1999** **never determined**
Sitting of portable buildings for use as offices, security unit, showroom, store and toilet block.

ME/99/5791 **7-Jan-1998** **24-May-2005** **88 months** **Refused**
Lawful Development Certificate for retention of portable building and residential moorings.

ME/05/1032 **24-May-2005** **never determined**
Re-submission of Lawful Development Certificate for retention of portable building and residential moorings.

MC/99/0165 **24-April-1999** **30-June-1999** **2 months** **Refused**
Temporary stationing of caravans for workers on the CTRL and M2 construction projects

MC/00/0465 **8-Apr-2000** **28-June-2000** **2 months** **Approved**
Appeal for temporary stationing of caravans for workers on the CTRL and M2 construction projects

MC/04/2084 **6-Sept-2004** **29-Nov-2004** **3 month** **Approved**
Retention of floating offices and chandlery.

MC/05/1310 **8-Jul-2005** **9-Jan-2006** **6 months** **Approved**
Construction of a detached single storey building for use of boathouse.

MC/08/1516 **2-Oct-2008** **20-Dec-2008** **3 months** **Approved**
Engineering works to infill three underpasses under railway and stabilise railway banks by infilling with inert material and diversion of a public footpath.

MC/10/3851 **19-Oct-2010** **Still waiting for Planning Dept to agree**
Details pursuant to conditions on planning permission MC/2008/1516

MC/10/4480 **14-Dec-2010** **3-Mar-2011** **2.5 months** **Refused**
Engineering works to improve habitat for nature conservation and recreation purposes including import of inert material.

As just one example of the fight, frustration and opposition I have endured to progress my business I attach a copy of my letter dated 26th April 1998 (document one) to Mrs. J. Armitt the Chief Executive of Medway Council at the time and her reply dated 20th May 1998 (document two).

The application mentioned in her first paragraph which referred to a restaurant ship moored against our quayside ref ME/96/0624 which although thwart with problems because of the nature of the application being a ship, only took 18 months to determine. This was bad enough because it should have been a simple application but in comparison to our other applications this was good. Since being opened this ship has proved to be a major success and could easily be repeated up and down the river exactly the same as on the River Thames.

Applications ME/90/0760 and ME/90/0761 quoted in her second paragraph were submitted on 4th Sept 1990, both applications went to committee on 8th January 1991 and both applications were approved subject to a 106 agreement. This agreement was exactly the same as the 106 agreements we signed for previous applications reference ME/90/0452 and ME/90/0645. In any case the 106 agreement was for a financial contribution towards road improvements and provision of a footpath alongside the railway station and to this day we are still waiting for this work to be implemented. Medway Council have now had my money for twenty years.

The approval notice for applications ME/90/0760 and ME/90/0761 was finally issued on 7th April 2000, 110 months after being approved by the Planning Committee. Mrs Armitt's letter totally ignored the issues I raised and afterwards the problems just escalated. See my letter to Mrs Armitt dated 3rd December 1999 (document three) I didn't even receive a reply to this letter.

This is just one example of my issues with Medway Council the documentation goes on for years with the same unhelpful altitude. I also attach a letter dated 23rd March 1998 (document four) from the Rt Hon Robert Marshall-Andrews QC MP to Medway Council endeavouring to give assistance on our behalf but unfortunately still to no avail. Medway Councils reply (document five) again only mentions the application for the Restaurant Ship and ignores the other two applications.

We have submitted our latest application to form new Lagoons and import a small amount of fill to Common Marsh (an 8 acre field) at the Marina to improve the habitat for the tentacled lagoon worm (protected under the Wildlife and Countryside Act 1981). The worms were re-located to the field when the motorway and CTRL bridges were constructed at a cost, I believe of over £5 million. We have spent considerable time and money over the last four years with both the ecology side of the EA and Natural England endeavouring to prepare this application. We have also provided land for a public footpath to link Cuxton with the Medway Valley Complex. Our original intention for this area was to form an internal marina but objections from the ecology section of the EA and Natural England because of the effect on the habitat for the tentacled lagoon worm forced us to abandon this idea.

The only objection to this application was received from the flood defence team at the EA on the grounds that they consider the area to be a flood plain and want to use the area for flood water storage. There is a substantial bund wall built in the 1850's using sheet piling and concrete to protect the original brick-fields from flooding, this wall has

never been breached and if allowed to the worms would immediately be killed. This site was chosen by the Highways Agency as the only site on the Medway suitable as an alternative habitat for the worms.

We have provided a flood risk assessment prepared by a professional Company which disputes the EA objection but interpretation of the planning policy is in dispute. We have had pre-application discussions with all parties involved and obtained agreement with the exception of the flood defence team who totally ignored our requests. This team are so complacent and unhelpful they have lodged this objection with total disregard to the wildlife habitat, employment and damage being caused to my business and despite having so much power are not accountable for their action.

So far on this application we have spent nearly £40,000.00 and well over £250,000.00 overall which as a small business is a substantial amount particularly as 60% of the cost on this application has been wasted. The survey in search of the worms cost thousands of pounds and apart from various disputes with the EA and our Consultants on the method used to take samples nothing was achieved.

There were never any worms found but it does not mean they are not there because they are only 3mm long and so it's like trying to find a pinhead on Brighton beach. I had to stop this course of action in the end because of the escalating cost and assume the worms are still present.

The next survey was to record the levels of the land but there was no reason to have such a detailed survey which cost another £5000.00. The cost of the planning application to the Council was just over £7000.00 and all that achieved was to satisfy the Councils deadlines and decline our application.

Then there's the flood risk assessment which is still ongoing despite the presence of a flood bund and totally pointless if the protection of the habitat takes preference. If the protection of the habitat does not take preference then there was no point submitting this application in the first place and what's the point of having an Act of Parliament to protect the wildlife?

The policy behind the objection is that although we meet the 1 in 50 year flood criteria we do not meet the 1 in 200 year criteria but all this is based on hypothetical theories and predictions. In the real world if the flood level reached the 1 in 200 year prediction a large percentage of the Medway Towns would be flooded and there would be devastation in the rest of the UK so the objection seems unreasonable on its own merits without considering the damage being caused to the habitat and my business.

Add these costs to the Architect fees, Planning Consultants fees, Ecological surveys, Biodiversity surveys and Legal costs and without even considering my time and costs and the whole situation is ridiculous.

Returning to our latest application a meeting was arranged for Monday 7th March with Medway Council, the Environment Agency and our Consultants in an endeavour to solve the deadlock with the EA. On visiting the Medway Council's website on the previous Thursday 3rd March we found our application had already been declined although the Council still had another two weeks before their deadline and we had this meeting arranged for the following Monday.

At the meeting on Monday 7th March we overcome the objection by providing water compensation in case of flooding but we are not allowed to raise the bund wall to protect the worms to meet the 1 in 200 year criteria and therefore we are caught between two departments of the EA with conflicting policies. The letter of objection from the EA states that whilst the impacts of a singular site may be small their concerns are with respect to cumulative impact of land raising throughout the river. Surely every application should be considered on its own merits and in the event of conflicting policies the Council should determine the course to take and not just dismiss the application.

Medway Council could easily have issued a permission notice the following week still well within their deadline. Instead I am forced to re-submit the application again or go to appeal and not only suffer the associated financial costs but another long delay to my programme of works.

I was told by Medway Council that Government guidelines stipulate that in a given time frame 60% of planning applications must be determined within the time limit to achieve Government funding. Medway Council had reached 58% and I was not given any additional time because my application made the difference as to whether Medway Council met their deadline. If my application had been submitted a few months earlier I would not have had this problem. This does not explain why I was given a refusal on my application and I still cannot get an answer on this point but I can only assume that refusal would assist with achieving their deadline.

I have negotiated with Medway Ports to lease Strood Pier and construct a 150 berth Marina with a deep water landing berth for occasions like the Tall Ships race. I have offered to lease Rochester Pier, Sun Pier and provide landing pontoons at Rochester Riverside, Upnor and Chatham Maritime together with providing a river bus service between these points. My offer has been totally ignored and to "rub salt in the wound" Medway Council have totally removed Sun Pier (Sun Pier is supposed to be protected by an act of Parliament) at a cost of nearly £60,000.00 despite my offer to repair the site free of charge as part of the above proposition.

I have 20 years documented evidence demonstrating that this is typical of Medway Councils attitude to our applications and I am not sure which direction to take in the future. We are only the tip of the iceberg, other businesses based on the River Medway have suffered similar fates and with Medway Council's policy of closing wharfs many water based Companies have moved to other areas or just ceased trading. Between Medway Council and the EA commerce and industry on the River Medway has been destroyed.

A look at Medway Council's own Medway Renaissance - Legacy Document illustrates the effect their policies have had on Rochester Riverside. The "before" 2005 photograph shows an area full of thriving small businesses but after compulsory purchasing the whole of the waterfront and spending millions of pounds of tax payers money and Government grants the "after" 2011 photograph shows a barren landscape. Exactly the same has happened to Strood riverside and both these sites form most of the rivers accessible commercial areas. Where is the investment in business, sustainable employment, tourism and activity on the River? How can a council compulsory purchase an industrial estate totally devastating river activities and give themselves planning consent for residential units? Housing will produce wealth in the short term but what

about the future? Was this action taken to fulfil Medway Councils deadline to provide additional housing in the region?

As you can see from our website we offer all the facilities required for a modern marina and we are always full even in the present financial climate. Whenever we provide more berths they are filled as soon as they are installed so there is plenty of demand for moorings. The Medway has so much potential and with the right facilities and marketing could in a very short time be as popular and as busy as the South Coast particularly with its location so close to London.

I would be very happy to continue investing in my business together with expanding and developing future projects on the River Medway but without the backing of the local Council I do not see a future in this area. If Medway Council and other associated agencies were held accountable for their decisions then businesses may stand a chance but who can I ask to investigate this situation outside the powers of the Council and with the ability to actually make a difference?

The Marina would make an excellent site for camping and touring caravans servicing the Olympics next year being only a 10 minute drive from Ebbsfleet International Station and with available land fully equipped with showers, toilets, laundry, electricity hook-ups and water. In fact the whole area would benefit from the Olympics but with Medway Council we do not stand a chance of getting planning permission in time and therefore another "once in a lifetime" opportunity is lost.

Even after succeeding with the planning permission trying to discharge the conditions attached to the approval notice is another nightmare. These conditions take far too long to agree and on most occasions are doubled up with regulations already in place.

Application MC/08/1516 approved on 20th December 2008 for Engineering works to infill three underpasses under the railway, stabilise railway banks and diversion of a public footpath are all very important to the Community.

We are still waiting approval of the planning conditions despite the fact that infilling the underpasses and stabilising the railway banks is for the benefit of Network Rail and relocation of the public footpath was at the request of the Parish Council. The approval for this work expires at the end of this year, will we get the conditions discharged or is it all a waste of time, money and effort?

I must call a halt at this point because I would be another week telling the rest of the story and the accompanying documentation would take another month to read.

Please listen and help make a difference not only to my small business but to all the Companies and people dependant on the River Medway for their livelihoods notwithstanding the life of the River Medway itself.

Yours sincerely

David Taylor
For Port Medway Marina Ltd.

NOT enclosed with this submission but would be available for Inspector if required.

- | | |
|----------------|--|
| Document one | Copy of my letter dated 26 th April 1998 to Mrs. J. Armit the Chief Executive of Medway Council |
| Document two | Copy of Mrs. J. Armit's reply to me dated 20 th May 1998 |
| Document three | Copy of my letter dated 3 rd December 1999 to Mrs. J. Armit |
| Document four | Copy of letter dated 23 rd March 1998 from the Rt Hon Robert Marshall-Andrews QC MP to Medway Council |
| Document five | Medway Councils letter dated 25 March 1998 to Rt Hon Robert Marshall-Andrews QC MP. |
| Document six | Copy of letter from Natural England dated 8 th November 2010 relating to the nature conservation status of the saline lagoon habitat. |
| Document seven | EA letter of objection dated 17 th January 2011. |
| Document eight | Planning case study prepared by Anna Bloomfield from Bloomfields Chartered Town Planners, Planning Consultant acting on my behalf. |

Appendix C

Letter to Head of Regeneration, Community and Culture, Medway Council

4th August 2008

Our Reference: APB/658

Mr Robin Cooper
Head of Regeneration, Community and Culture
Development, Economy and Transport
Medway Council, Civic Headquarters
Gun Wharf
Dock Road
Chatham
Kent ME4 4TR

Dear Robin

River Medway – planning issues

Thank you very much for meeting Dave and Neil Taylor of Port Medway Marina and myself recently, to discuss the development of Strood Pier. The purpose of this letter is to note that meeting, mention other river related issues arising and make a number of specific requests.

Strood Pier

As you know, preliminary discussions about Strood Pier were held some 18 months ago with both yourself and Colin Lovell when Mr Taylor's initial ideas were promoted. Since then, Mr Taylor has agreed terms for a lease of Strood Pier with Medway Ports. (You have been given a copy of Medway Ports' letter dated 16th April 2008, which sets out the broad heads of terms).

It follows that Mr Taylor now depends upon Medway Council's agreement – as riparian owners of the adjacent land – to install pontoons and develop a substantial Marina at Strood. This will involve submitting a planning application. It is therefore important that the applicants will have the, in principle, support of all parties towards this form development prior to submission. The Port Medway Marina owners/operators are very keen to progress this project and therefore request your assistance with both legal and planning matters.

As an example, when we discussed Mr Taylor's plans, in particular we enquired about the availability of parking to serve the proposed recreational use of this site. Ideally between 20 to 50 spaces are required to make this site work well. However, you advised that land for such a use would not be available in the context of the existing Master Plan.

It was noted that Mote and Orbit Housing Associations are reviewing their developments on neighbouring land and there may be scope to discuss this issue with both parties, with a view to finding some synergy (e.g. apartments linked with moorings). You also

advised that Strood Station car park is already at over capacity – a situation that is likely to worsen given the significant improvements in journey times to London from December 2009.

Setting aside the above issue, you noted Mr Taylor's suggested proposals for new pontoons, which would allow for the mooring of up to 100 recreational boats, and felt this would work well at Strood.

Sun Pier and Rochester Pier

At our meeting, Mr Taylor expressed an interest in either purchasing or leasing these piers from Medway Council, together with any landing stages within the Council's ownership. In return for a modest rental, Port Medway Marina is prepared to undertake the upkeep and repair of the piers in order to bring them back into full working use. He has asked me to enquire whether this is something that Medway Council could consider.

It would seem to me to be a sensible way of restoring the piers at nil cost to the Authority, while bringing new life back to the River Medway. Port Medway Marina has already made a huge difference to the river scene and Messrs Taylor are well placed to deliver the necessary works to repair the piers.

River bus

Apart from developing access points on the river and future moorings, the owners/operators of Port Medway Marina are anxious to provide a river bus service. Their aim would be to start with, say, ten purpose built vessels, each of which would accommodate 12 passengers each. The customer base would be based upon both commuter traffic and tourism. The advantages of working with smaller vessels can be summarised:

- They provide a fast, efficient service. Instead of waiting to fill larger vessels (comprising some 60 to 120 seats) or run them empty, the smaller vessels would fill quickly and could be organised to operate in line with demand.
- The overheads of smaller vessels are far lower, both in terms of their running costs and initial capital investment.
- They are very safe to run.
- By seeing a large number of vessels on the river the public would see that a regular, frequent service is readily available, so is easy to use.
- Driver training is far less complicated than for larger vessels.

This service could and should be part of an *integrated transport system*. With careful planning it would link with all other public transport services and the private car. As an example, when Strood station comes on line with the operation to St Pancras next year, there will be even more demand for parking spaces. A park and sail scheme would not only provide answers to this parking problem, but would ease the situation for both tourists and commuters.

Rochester Riverside is another good opportunity to develop pontoons and a water transport scheme, particularly a park and sail system whereby the site could be used for temporary car parking until the land has settled enough for permanent construction. This would not only establish a good service for the public but would also provide a financial return to Medway Council for land that would otherwise not be utilised.

It is evident that a scheme such as this represents an exciting opportunity that would also provide increased employment and involve the river as part of everyday life for the public.

A small working group could be formed to promote this concept. By chance I was speaking recently with Wendy Mesher of Medway Renaissance. She suggested the following persons may be useful in such a group, in addition to herself:

Steve Hewlett – Integrated Transport
Simon Curtis – Tourism
Brian McCutcheon – Planning
A Member to champion the river – possibly Cllr Mrs Jane Chitty.

Port Medway Marina is eager to pursue these developments. The owners have extensive experience on the river together with all of the necessary equipment and knowledge at their disposal. They take the view that, given support, a will to succeed and all the necessary planning permissions in place, all of the above projects could be completed in the short term, say between one to three years.

Floating homes

These were also discussed briefly at our meeting. The floating homes concept is now well established worldwide and is developing throughout the UK. Public attitudes towards such homes are rapidly changing. People who are now looking to live on the river have more finance available and are choosing this as a lifestyle option.

With Medway Council's foresight in developing the Medway Towns for the future, the river will become a very desirable place to live. By encouraging this form of development, the Authority could release considerable equity from their interests in the Medway.

Port Medway Marina is already involved in producing floating homes, incorporating a maintenance free concrete pontoon system. It has an order for five such floating homes on the River Thames with selling prices ranging from £1.2m and £1.4m, including the mooring.

The Marina owners are very keen to replicate this form of up-market development on the River Medway. Mr Taylor would therefore be grateful to receive your initial thoughts on the principle of developing the floating homes concept further.

Summary of requests

In summary, Port Medway Marina would appreciate your assistance with the following matters:

- Progress all legal aspects relating to Strood Pier.
- Explain Port Medway Marina owner's proposals to Members with a view to achieving support for a planning application when submitted.
- Establish whether there is a way forward to provide parking to serve a Marina at Strood Pier.
- Consider the sale/lease of Sun Pier and Rochester Pier.

- Establish a small working group to study the options for a river bus service.
- Advice on the likelihood of support for the floating homes concept on the River Medway.

In the longer term, Port Medway Marina owners/operators look forward to working in partnership with Medway Council to further develop opportunities on the river.

I look forward to hearing from you.

Kind regards.

Yours sincerely

Anna Bloomfield