25 June 2022

Andrew

Thank you for your email of 22 June 2022 that you say is in response to emails of 25 May and 3 June. Whether this has been deliberate or not, your email has avoided dealing with the main point that I have been making over the last two years, the questionable provenance of the “Heritage Offer” or strategy authored by Dorchester Living and intended to determine the future of the best preserved site in the UK from the defining ‘event’ of the last hundred years. The ‘main thrust’ of the argument relates to that one document and not the many others prepared by qualified experts over the last 20+ years, some of which have been effectively superseded.

I have also recommended that you obtain legal advice on the decision taken on 5 November based on the Dorchester Living report. I doubt that a lawyer would agree with your attempt to distinguish the case of *Cross* from the your Council’s failure to provide intelligible and adequate reasons for a flagrant breach of Government policy. Your argument actually seems to be that there has been no breach of Government policy for which reasons would be required. However, you quite properly refer to the law relating to decision-taking (ie s38(6) of the PCPA 2004). In taking Dorchester Living’s Heritage Offer into account when making its decision, which would have the effect of approving a number of questionable proposals, makes the Council responsible for ensuring that the report was the product of appropriate and necessary expertise proportionate to the preeminent importance of a heritage asset of international importance. It is not possible to assess the adequacy or merit of these ‘offerings’ in the absence of any expert scoping of the heritage potential. The Council was recommended to carry out feasibility studies when housing was allocated to the site in the Structure Plan. The choice of both the Council and successive owners to ignore this recommendation is, unsurprisingly, a root cause of the current flaw in the decision-making process.

In your framing of the decision you refer to Historic England and seem to suggest that there is a minimal difference between the Council’s approach to preserving the character and setting of the former base and rejecting those which Historic England, your conservation officer(s) and what OTCH have been advocating. I mentioned the growing interest in the Cold War because that was a material consideration relied on by the planning inspector in the examination of the Structure Plan and in preferring the OTCH approach to that of CDC/OCC. You mention the PCU allowing the Council to determine the application, but the reasons for this decision were deleted through the heavy redactions carried out before the officers’ report was released.

I trust that the Council will agree (with the applicant) that a heritage offer/strategy is reasonably necessary to the determination of this masterplan application but that this must start with a scoping exercise and/or feasibility studies carried out by those expert in international if not Cold War heritage. By avoiding to address this issue the email of 22 June only serves to reinforce the impression created over the last 25 years that the Council has insufficient interest in assisting with the realisation of the heritage potential of the former Cold War air base even when the combination of law and policy requires it to do so.

Kind regards

Daniel