

05 April 2024

Delivered via the Planning Portal

Planning Department
BCP Council
BCP Civic Centre
Bournemouth
BH2 6DY

Dear Sir / Madam,

**RETROSPECTIVE APPLICATION FOR DEMOLITION
BROUGHTON HOUSE, CONSTITUTION HILL ROAD, POOLE, BH14 0QA**

On behalf of Bournemouth, Christchurch, and Poole (BCP) Council Housing Team, we are pleased to submit a retrospective planning application, under Section 73a of the Town and Country Planning Act 1990, for the demolition of Broughton House at Constitution Hill Road, Poole.

Application Site & Context

Lady Russell Cotes House / Bournemouth & Poole College Campus

The application site forms a small part of the former Lady Russell Cotes House / Bournemouth & Poole College campus in Poole, which has since closed. The former campus site has been fenced and closed for public access.

In the 1870s the wider site was open pasture and heath and was situated to the south of the Dupe's Brick Works. In 1919 the Russell-Cotes Nautical School (originally known as the Dr Barnardos home) was founded on the site to look after orphans and destitute children. The land was donated by Lady Russell-Cotes, a local landowner, and funded by Sir Merton, the Shaftesbury Society and Dr Barnardos himself.

The school originally consisted of a cluster of bunkhouses, and the main building, Lady Russell-Cotes House was built by 1922. The construction of additional school buildings took place, and included:

- Gymnasium (built in 1922)
- Johnson House (built in 1922)
- Howard House (built in 1924)
- Broughton House (built in 1927)
- Arranamoore House (built in 1936)
- Jellicoe Theatre, incorporating the gymnasium (built in 1936)
- St Andrews Chapel (built in 1939)

The school then became the Russell-Cotes Nautical School and trained boys for the merchant navy.

After 1952 the school became the Parkstone Sea Training School for the HM Royal Navy, however, by 1964 the school closed due to the declining need for sailors.

Mountbatten House, 1 Grosvenor Square, Southampton
turley.co.uk

In 1964 the buildings were taken on by the Central Electricity Generating Board as a training site, before in, 1972 the site and buildings became a technical college. Over time this technical college was merged into Bournemouth & Poole College, as a campus for media and performing arts.

After 1990 the foreground to Lady Russell-Cotes House was built upon, with the demolition of the Commanders House and one of the approaches, forming Jellicoe Close. In addition, Shaftesbury House (part of the former Children's Home on upper Constitution Hill) was demolished with the construction of Constitution Hill Gardens.

The site was purchased by Poole Council (now BCP Council) in 2014.

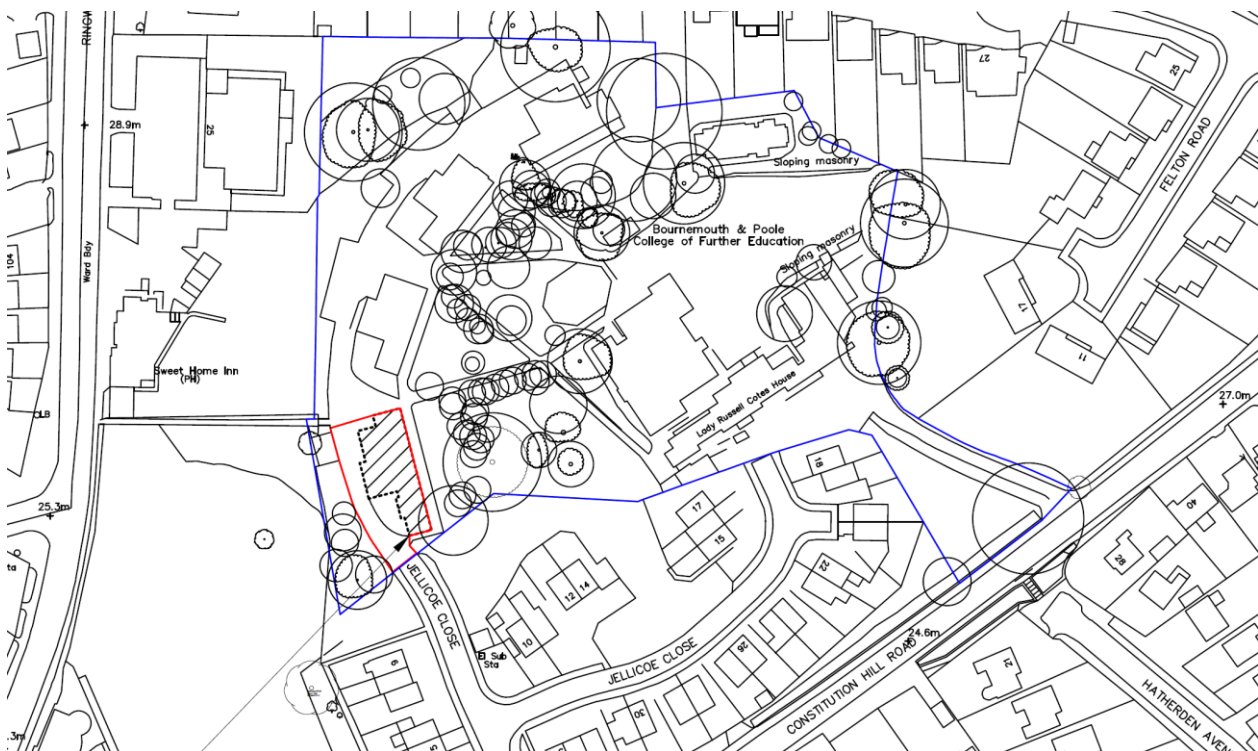
Broughton House

The site, subject to this application, is 635 sqm in size and located at the northern end of Jellicoe Close, which connects to Constitution Hill Road.

The application site comprises the footprint of Broughton House, located at the south-east corner of the former Lady Russell Cotes House / Bournemouth & Poole College campus, as identified on the site location plan below.

To the east of the application site is the Brownsea Centre site with residential development beyond Ringwood Road. The Ocean Academy School with associated playing field is to the south of the site, with further residential development beyond this. An area of woodland and the former Lady Russell Cotes House / Bournemouth & Poole College campus is located to the north and east of the application site.

Figure 1: Site Location Plan



Broughton House was built in 1927 and comprised a two-storey brick building, 577 sqm in size. The building had a pitched and hipped clay tile roof with a concrete ridge and dormer windows. The building was vacant for approximately 10 years, with its last use being for educational purposes as part of the College Campus.

Since the Broughton House building, and the wider College Campus, closed, the whole site has been subjected to continued vandalism, including setting of deliberate fires. Broughton House, in particular, was particularly affected by the anti-social and criminal behaviour and identified to be in an unsafe condition to the point where the existing buildings are in declining state.

On 5th February 2023 the vacant Broughton House building was severely damaged by a large fire¹.

BCP Building Control reviewed the building and deemed it was unsafe, as such Broughton House was demolished on 20th February 2023, in accordance with Section 80 of the Building Act 1984.

Site Designations

With regards to site designations, the site is located within Flood Zone 1, low probability of flooding and is at low risk to surface water flooding. Broughton House was not a Listed Building, or a Locally Listed Building, nor is the site within a Conservation Area. There are no public rights of way through the site. The site is covered by a Tree Protection Order (TPO) 'area' ref. 36, although there are no trees within the application site boundary.

The Poole Local Plan Policies Map (2018) identifies the site as part of the U11 site allocation (see Policy PP9).

Planning History

We are aware that a Prior Notification for Demolition was submitted to BCP Council on 6th February 2024 (ref. APP/24/00134/PA). This was in relation to the demolition of 8 existing buildings on the site at Constitution Hill Road. During the determination of the Prior Notification, the Case Officer noted that the building marked as 'building 1' (i.e. Broughton House) on the submitted location plan had already been demolished.

Schedule 2, Part 11, Class B (demolition of buildings), paragraph B.2 (b) (vii) (aa) of the General Permitted Development Order (2015)² states that "*development must not begin before the occurrence of ... the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required*". As such, it was not possible for BCP Council to grant Prior Approval for the demolition of the building and the Case Officer requested that the application was withdrawn. The Prior Notification was subsequently withdrawn on 23rd February 2024.

It is noted that BCP Highways Authority confirmed no objection to the Prior Notification (ref. APP/24/00134/PA) before it was withdrawn.

There are no other applications of relevance to the application site on the Councils online register.

It is understood that a separate Prior Notification for the demolition of the remaining 7 buildings on the site is being prepared and will be submitted to the Council.

Development Proposal

This application has been prepared in line with the Councils request to submit a retrospective application to regularise the demolition of Broughton House. This application has been submitted under Section 73a of the Town and Country Planning Act 1990³.

¹ <https://www.bournemouthcho.co.uk/news/23300823.huge-fire-tears-derelict-bournemouth-poole-college/>

² <https://www.legislation.gov.uk/ukSI/2015/596/schedule/2/part/11/crossheading/class-b-demolition-of-buildings/made>

³ <https://www.legislation.gov.uk/ukpga/1990/8/section/73A>

This retrospective planning application is for the demolition of the Broughton House building, which was located at Constitution Hill Road, Poole (see submitted Site Location Plan). The demolition works also included the levelling of the site, to a safe and appropriate standard.

The proposed description of development is set out below:

“Demolition of Broughton House with associated works to level the site.”

Prior to its demolition on 20th February 2023, the Broughton House building was vacant and in a very poor condition. It was considered unsafe, as a result of recent and consistent vandalism, including arson. As such, the urgent demolition of the building was considered necessary in the interests of health and safety.

Relevant Planning Policy

Section 73a of the Town and Country Planning Act 1990 relates to ‘*planning permission for development already carried out*’, which includes development carried out without planning permission (S73a (2)(a)). Planning permission under Section 73a may be granted to have effect from the date on which the development was carried out.

The relevant extract from Section 73a of the Town and Country Planning Act 1990 is set out below for ease of reference:

“[^f173A Planning permission for development already carried out.

- 1) *On an application made to a local planning authority, the planning permission which may be granted includes planning permission for development carried out before the date of the application.*
- 2) *Subsection (1) applies to development carried out—*
 - a) *without planning permission;*
 - b) *in accordance with planning permission granted for a limited period; or*
 - c) *without complying with some condition subject to which planning permission was granted.*
- 3) *Planning permission for such development may be granted so as to have effect from—*
 - a) *the date on which the development was carried out; or*
 - b) *if it was carried out in accordance with planning permission granted for a limited period, the end of that period.]”*

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The relevant Development Plan for this site comprises the Poole Local Plan (2018). The key policy of relevance to this proposal comprises Policy PP9 (Urban Allocations Outside the Town Centre). Policy PP9 identifies the sites allocated for development outside the town centre and outlines that the application site forms part of site allocation ‘U11 Fromer College Site’. The Policy states that the development of the site should include “*a minimum of 55 homes*”.

Planning Considerations

Following the fire in February 2023, BCP Building Control visited and reviewed the site and confirmed that “*the extent and severity of dilapidation of all the buildings on the site is concerning and they clearly pose a significant risk to*

anyone in the vicinity of them as well as the obvious dangers arising from unauthorised access and associated anti-social behaviour issues which are apparent there”.

BCP Building Control outlined that urgent action was required, in the interests of public safety, which included the demolition of dangerous structures, including Broughton House. It was further advised that the “*demolition of Broughton House should be carried out without delay*”, in accordance with Section 80 of the Building Act 1984⁴.

As such Broughton House was demolished on 20th February 2023.

A full copy of the email advice from BCP Building Control is included at **Appendix 1** of this letter. A copy of the Site Demolition Notice is also included at **Appendix 2**.

Demolition

The demolition of Broughton House was undertaken in accordance with the Demolition Method Statement (ref. 18-09-2023 rev 02), which has been submitted with this application for reference. The Demolition Method Statement ensured all demolition and dismantling was carefully planned and carried out in a way that prevented danger by practitioners with the relevant skills, knowledge, and experience.

The demolition works took place within the working hours of Monday – Friday, 8am – 5pm, and only competent and trained operatives were permitted to work on site.

An internal soft strip using battery and hand tools took place, with all waste manually handled to designated areas. The roof was removed using a 21 tonne 360-degree slew and the machine operator used the selector grab to lift the roof and lower to the ground. Operatives then removed tiles and wood, separating them into piles. A 21-ton 360 excavator was used to demolish the rest of the building, with the walls pushed inwards into the buildings to prevent unplanned collapse.

The materials were sorted for either recycling or waste removal. A crusher unit crushed all rubble to be recycled. No burning of materials was undertaken on the site during the demolition process.

To control dust on site a continuous spray and misting system was used to dampen down the structure. Wheel wash facilities were provided to ensure that no waste materials are transferred out onto the public highway.

Site Remediation

The building has been demolished to ground level, with the floor finishes still visible. The basement of Broughton House has been back-filled with well-compacted site material, in order to make the basement safe.

Heras fencing has been provided around the former building. The site boundary has been secured and closed with timber boarding and timber fencing.

Policy PP9 and site allocation U11

As mentioned in the letter above, the site is identified in the adopted Poole Local Plan Policies Map (2018) as part of the U11 site allocation in Policy PP9.

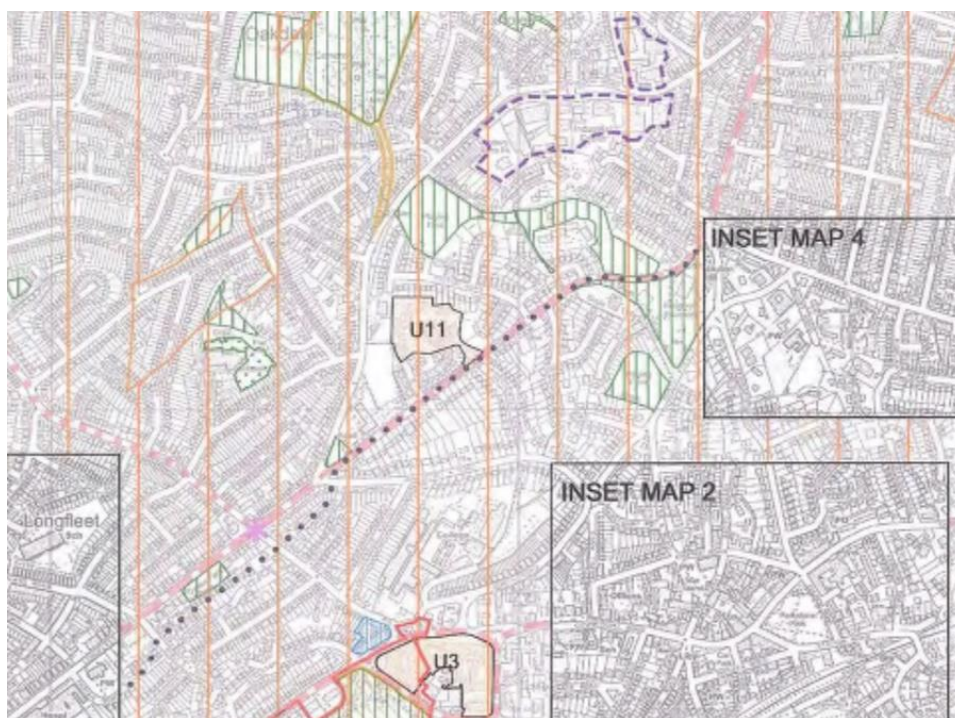
⁴ <https://www.legislation.gov.uk/ukpga/1984/55/section/80/enacted>

Policy PP9 (Urban Allocations Outside the Town Centre) identifies the sites allocated for development outside the town centre and outlines that the application site forms part of site allocation 'U11 Fromer College Site'. The Policy states that the development of the site should include "a minimum of 55 homes".

The demolition of the buildings across the former Lady Russell Cotes House / Bournemouth & Poole College campus, including Broughton House, is therefore required to facilitate the re-development of the site in order to deliver the housing in accordance with Policy PP9. The dilapidated state of the existing buildings mean that they are unsuitable and unviable for conversion into dwellings. Conversion of the existing buildings would also limit the number of units which could be provided on the site, and would therefore unlikely deliver the 'minimum of 55 homes' required by the policy.

BCP Councils' Housing Team are in the process of reviewing development proposals for the wider site to deliver over 55 units of affordable housing across the site, in line with the ambitions of Policy PP9.

Figure 1: Extract form adopted Policies Map



Ecology

To support this application, an Ecology Technical Note (March 2024) has been prepared and submitted. The Technical Note relates to the implications to potential roosting bats as a result of the fire damage and subsequent demolition of Broughton House.

The Technical Note outlines that, based on the overall internal conditions (in absence of an internal survey given the collapsing ceilings and notable water damage) it is likely that the roof voids of Broughton House provided sub-optimal conditions for void species, such as brown long-eared bats.

The external conditions of Broughton House included suitable crevice roosting opportunities, mainly within the clay roof in the form of lifts and gaps. It is considered likely that, in absence of the further emergence surveys to inform species and roost characteristic, that the building could have provided daytime roosts for common and soprano pipistrelle bats.

Given the unknown potential and overall lack of information on the building’s hibernation suitability, it is considered likely that any roosts within the building were mainly transitional (i.e. spring, autumn) and summer use.

To compensate for the potential of daytime roosts within Broughton House, replacement roosts in the form of one ridge roosts and four bat boxes will be provided across the site as part of any future development proposal.

The demolition works were enclosed by Heras fencing and undertaken within the hard standing areas. It is therefore considered that the demolition works were unlikely to have caused impacts upon the boundary woodland. With the woodland boundary features intact, the commuting and foraging habitats for local bats has remained intact with no damage or destruction.

Due to the distance of the site from locally and nationally designated sites, and the absence of connecting features to protected areas, no adverse impacts are anticipated. Internationally designated sites Dorset Heathlands SAC and Ramsar and Poole Harbour SPA are also not anticipated to experience any direct negative impacts.

The Biodiversity Net Gain (BNG) Guidance⁵ provides details of which planning permissions are exempt from biodiversity net gain. This includes applications for retrospective planning permission, made under section 73A. As such, this retrospective planning application is not required to demonstrate BNG.

Trees

The ‘Arboricultural Impact Assessment’ (24 November 2023) submitted with this application provides details of the trees surveyed across the whole former Lady Russell Cotes House / Bournemouth & Poole College campus site on 15th November 2023. The assessment provides an assessment of all the trees, with details of the individual trees and their categories, included within the Survey Schedule.

A ‘Tree Survey Plan’ (ref. 1049-DEMOLITION), has also been prepared and submitted with this application, and includes details of the existing trees and the root protection areas in close proximity to the Broughton House building.

The majority of the trees adjacent to Broughton House are Category C trees, with one Category B tree (T2) located to the south-west of the building, and one Category A tree (T10) located to the east of the site.

The demolition of the building did not result in the loss of any trees. As such, it would not have resulted in an impact, either individually or cumulatively, to the character and local climate of the area, which is in line with the requirements set in Policy PP27 (Design).

Information Submitted

This planning application has been submitted via the Planning Portal under reference PP-12888992. The planning submission comprises the following plans and documents:

Plan / Document	Reference
Application Forms	PP-12888992
Detailed Cover Letter	05 April 2024
CIL Forms	21.03.2024
Site Location Plan – Existing	DWG 01 rev B
Site Location Plan – Proposed	DWG 02 rev B

⁵ <https://www.gov.uk/guidance/biodiversity-net-gain#para3>

Existing Block Plan	DWG 03 rev C
Proposed Block Plan	DWG 04 rev C
Existing Elevations	19.03.2024
Existing Lower Ground Floorplan	1198B5-1
Existing Ground Floor Floorplan	1198B50 rev A
Existing First Floor Floorplan	1198B51
Ecology Technical Note	784-B060028 / March 2024
Tree Survey/Arboricultural Impact Assessment	19 March 2024
Tree Protection Plan	1049-DEMOLITION
Demolition Method Statement	18-09-2023 rev 02

The requisite planning application fee of £293 (calculated based on 'other operations' and site area less than 0.1ha) has been paid via the Planning Portal.

We trust you will find the application documents to be in order and look forward to confirmation of validation. Should you require any further information or clarification please do not hesitate to contact me or Cat White (cat.white@turley.co.uk).

Yours sincerely,



Sarah Hockin
Senior Planner
sarah.hockin@turley.co.uk

Appendix 1: Advice from BCP Building Control

From: John Brian <John.Brian@bcpcouncil.gov.uk>
Sent: Wednesday, February 8, 2023 6:54 PM
To: Mike Morris <mike.morris@bcpcouncil.gov.uk>
Cc: Gary Powell <gary.powell@bcpcouncil.gov.uk>; Sai Jun Mak <saijun.mak@bcpcouncil.gov.uk>
Subject: RE: Constitution Hill Site

Dear Mike,

Thank you for your time on site this afternoon, it was helpful to see the whole site and buildings.

The extent and severity of dilapidation of all the buildings on the site is concerning and they clearly pose a significant risk to anyone in the vicinity of them as well as the obvious dangers arising from unauthorised access and associated anti-social behaviour issues which are apparent there. It is therefore really important that, in the interests of public safety, urgent actions are taken to secure the site and make it safe. This will include the demolition of dangerous structures, including Broughton House (Building 1), which was severely damaged by fire last Sunday and other buildings. The Jellico Theatre (Building 7) and parts of the Octagonal Learning Resource Centre (Building 6) and Russel Coates House (Building 8) are very badly damaged and defective. If they are not demolished they will require very significant works to repair and restore them.

In the interests of public safety, the intended demolition of Broughton House should be carried out without delay. Demolition and/or remedial works to other buildings on the site should be implemented as soon as practicable and when any necessary planning consents etc. have been obtained. In these cases, notification of proposed demolition work should be given in accordance with Section 80 of the Building Act 1984 and a copy of the demolition notification form is attached, although this is normally submitted by the demolition contractor together with associated information including RAMS and asbestos surveys etc.

Finally, as the Manager of a service with responsibilities for dealing with dangerous structures in BCP Council's area I am really concerned about the risks associated with this ongoing situation and I know you have similar concerns and frustrations. Therefore, I feel compelled to inform my Head of Service about these concerns so that they can be escalated if required.



Yours sincerely,

John



John Brian

Building Control Manager

Transport and Engineering

Mobile: 07887 509554

john.brian@bcpcouncil.gov.uk

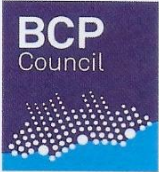
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Appendix 2: Site Demolition Notice

BCP Council
Building Act 1984 Section 80
DEMOLITION NOTICE



FOR OFFICE USE ONLY
Received:
Case No:

FOR OFFICE USE ONLY
Charge Paid:
Receipt No:
Date:

Refer to notes and guidance overleaf for help in completing this notice.

1 Location of Building to which Work Relates
Address CONSTITUTION HILL ROAD
Postcode BH14 0QB

This notice must be accompanied by a site / location plan.

2 Description of building, or part of building, to be demolished
Description OLD SCHOOL/COLLEGE BUILDING, 1424 SEVERLY FIRE DAMAGED
Part or whole? WHOLE

3a Your Details (The Person or Company undertaking the Demolition)
Name SAM BOUZAD Company SEASCAPE
Address UNIT 4 DALING RD, BOURNEMOUTH.
Postcode BH12 1DS Mobile Tel 07775 1 023105 Email sam.bouzad@bcpcouncil.gov.uk

3b Owners Details (The Legal Owner of the Property)
Name BCP COUNCIL
Address CIVIC CENTRE BOURNEMOUTH
Postcode Mobile Tel 07738 1 303242 Email mike.morris@bcpcouncil.gov.uk

4 Duration of Demolition
Number of weeks: 2 Date work is to commence: 10/02/23

5 Planning Permission
Has planning permission, listed building and / or conservation area consent been applied for? YES / NO
Reference Number:

6 Copies of this notice
Section 80 of the Building Act 1984 requires that the person carrying out the demolition of a building or part must give copies of this notice to the following:
1. Occupiers of all buildings adjacent to the building to be demolished
2. The local gas supplier
3. The local electricity supplier
4. The Health and Safety Executive
Confirm the date a copy has been sent to each.
1 YES
2 YES
3 YES
4 N/A

7 I have enclosed the charge of £240 (incl. VAT). I have enclosed a site / location plan. [checkmark]

8 Statement
I/we* the undersigned give you notice that the provisions of sub-section (2)(a) of Section 80 of the Building Act 1984, that it is my/our* intention to carry out the works of demolition listed above. I/we* also agree to comply with the provisions of the Building Act 1984 and any conditions in any subsequent notice issued by Bournemouth, Christchurch and Poole Council. I/we* agree not to begin work until the Notice of Conditions is issued by Bournemouth, Christchurch and Poole Council. (* delete as necessary)
Name: MAX CRISP Signature: [Signature]
Date: 8/2/23