

**ROYAL BOROUGH OF WINDSOR & MAIDENHEAD  
PLANNING COMMITTEE**

**DEVELOPMENT CONTROL PANEL**

8 February 2024

Item: 1

<b>Application No.:</b>	23/02211/FULL
<b>Location:</b>	College Eton College Slough Road Eton Windsor SL4 6DJ
<b>Proposal:</b>	Part alteration and part demolition of the Eton College Gymnasium and Indoor Swimming Pool complex and refurbishment/redevelopment to provide a new Indoor Sports Centre including 6-court sports hall, 8 no. squash courts, Athletic Development Programme ('ADP') facility, fitness and physio suites, climbing wall, dojo, fencing salle and associated cafe, changing, teaching, office and storage facilities and retention of rifle range (revised details in respect of final phase of development permitted under planning permission 18/02033/FULL as varied by planning permissions 20/00160/VAR and 20/02972/VAR).
<b>Applicant:</b>	C/o Savills
<b>Agent:</b>	Mr John Bowles
<b>Parish/Ward:</b>	Eton Town Council/Eton And Castle

**If you have a question about this report, please contact:** Briony Franklin on 01628 796007 or at [briony.franklin@rbwm.gov.uk](mailto:briony.franklin@rbwm.gov.uk)

## 1. SUMMARY

- 1.1 Full planning permission is sought to revise the consented scheme for a new School Sports Centre (SSC) at Eton College. The revisions include the retention and alteration of Whitely Hall (gymnasium) and the Rifle Range building, fronting onto Common Lane and the demolition and redevelopment of the main sports buildings.
- 1.2 The revised proposal is acceptable in terms of design, impact on character and heritage assets, flood risk, trees, landscaping, ecology, biodiversity, sustainability, highway safety and parking subject to appropriate conditions being secured.

<b>The proposal is acceptable, and it is recommended the Committee authorises the Head of Planning:</b>	
1.	<b>To grant planning permission on the satisfactory completion of a Unilateral Undertaking to secure the carbon off set contribution set out in Section 10 of this report and with the conditions listed in Section 14 of this report.</b>
2.	<b>To refuse planning permission if a Unilateral Undertaking to secure the carbon off set contribution set out in Section 10 of this report has not been satisfactorily completed.</b>



## 2. REASON FOR COMMITTEE DETERMINATION

- The Council's Constitution does not give the Head of Planning delegated powers to determine the application in the way recommended; such decisions can only be made by the Committee as the application is for major development.

## 3. THE SITE AND ITS SURROUNDINGS

- 3.1 The application site is located within the grounds of Eton College in an area referred to as the School Sports Centre (SCC) and comprises an area of 0.725ha. The site currently comprises existing sports facilities and includes Whitely Hall (gymnasium) and the Rifle Range building which fronts onto Common Lane and a sport hall, squash courts and a single storey indoor

swimming pool which are all accessed via Common Lane along a pedestrian walkway. The buildings extend from Common Lane towards the existing Rackets building at the north-eastern end of the site. The application site also encompasses land associated with the neighbouring boarding houses, Angelos and Caxton House.

3.2 To the southeast of the site lies 'The Field' and Wotton House and to the northwest lies the Parade Ground and Caxton House.

#### **4. KEY CONSTRAINTS**

4.1 The site lies within the Eton Conservation Area. Angelos House, a grade II listed building, lies to the southeast of the site. Wotton House and Caxton House, two non-designated heritage assets lie adjacent to the site. The site falls outside the Eton College Registered Park and Garden. The Field lies within the designated Green Belt and the Green Belt boundary follows the line of the existing sports buildings. The site lies within Flood Zone 3. The site lies within the Green and Amber Impact Zones for Great Crested Newts. The site lies within the 'Collegiate' designation in the RBWM Townscape Assessment.

#### **5. THE PROPOSAL**

5.1 Planning permission was originally granted in 2019 under reference number 18/02033/FULL for proposals which principally related to a new Eton Sports and Aquatic Centre (ESAC) and new School Sports Centre (SSC). This original permission has since been varied by planning permissions 20/00160/VAR and 20/02972/VAR. The first phase of the project, the Eton Sports and Aquatics Centre (ESAC) is now complete and in use. The College is now proceeding with Phase 2 and owing to escalating build costs and concerns about affordability, the implementation of Phase 2 has now been subdivided into two subphases:

1. Rackets Building, Jacks Building and refurbishment of the Fives Court (in accordance with planning permission 20/02972/VAR) – This work is currently progressing on site and the refurbishment and extension works to the Rackets and Jacks building are due for completion in early 2024.
2. Demolition of the existing indoor swimming pool and sports hall/squash courts and construction of new School Sports Centre (SSC) – this is the subject to this current application.

5.2 This current application seeks to amend the SSC part of the scheme and comprises a large multi-sports hall as well as facilities for squash, athletic development and fitness, fencing, shooting, climbing and associated plant, spectator, changing facilities and a cafe. It will improve Eton College's indoor sports facilities and replace some existing undistinguished buildings. The proposal will result in an increase in floor area of 1,268 sq.m when compared to the existing facilities but will result in a reduction in floor area of 905 sq.m when compared to the consented scheme.

5.3 The main changes to the consented scheme include:

- Retention and re-purposing of the existing Whitely Hall building as an athletic development programme (ADP) space at first floor, with dojo, fitness and changing facilities below.
- Retention of existing rifle range building including external alterations to improve insulation, infilling of colonnade, revised roof form and new offices and plant space.
- Revisions to the new sports buildings including the omission of the lower ground floor and revisions to the overall height and design of the buildings.
- A new entrance on the fives approach route.

5.4 The application follows pre-application meetings/advice and advice provided by the South East Design Review Panel.

5.5 During the application updated information/plans have been submitted to show the removal of three trees within the garden of Angelos, which have been consented for removal under planning permission 20/02972/VAR.

## 6. RELEVANT PLANNING HISTORY

6.1 In summary, planning permission was granted in 2019, under reference number 18/02033/FULL, for a new Eton Sports and Aquatic Centre (ESAC) and new School Sports Centre (SSC). The original permission has since been varied in 2020 and 2021 under planning applications 20/00160/VAR and 20/02972/VAR.

6.2 The first phase of the project, Eton Sports and Aquatic Centre (Athens) is now complete and in use.

6.3 Many of the applications relate to approval of conditions attached to planning permission 18/02033/FULL. The other relevant planning history is set out as follows:

Reference	Description	Decision
23/02428/NMA	Non material amendments to planning permission 20/02972/VAR for minor changes to the Rackets Building	Permitted 7.11.23
23/01612/NMA	Non material amendments to planning permission 20/02972/VAR for the change to the description of development to delete the word 'following'	Permitted 1.8.2023
20/02972/VAR	(summary) Variation (under Section 73A) of planning permission 20/00160/VAR as approved under 18/02033/FULL for the construction of a new school sports centre, construction of a new Eton Sports and Aquatics Centre, refurbishment and extension to the racket courts building, refurbishment of the jacks building and fives courts and new print making pavilion following demolition of existing buildings comprising the gymnasium, indoor swimming pool and outdoor swimming pool complex.	Permitted 19.5.2021
20/00160/VAR	(summary) Variation (under Section 73A) of condition 2 (approved plans) and condition 7 (detailed plans and samples of the Rackets Building) for additional plans to those plans approved under 18/02033/FULL.	Permitted 13.10.2020
19/02590/FULL	Flood Compensation Scheme	Permitted 10.2.2020
18/02034/LBC	Consent for the demolition and replacement of the existing garage and timber boarding fence adjacent to the existing gymnasium	Permitted 14.6.2019
18/02033/FULL	Summary:	

	Construction of a new school sports centre, new Eton Sports and Aquatic Centre, refurbishment and extension of the racket's courts building, refurbishment of fives courts, a new printmaking pavilion to house historic printing presses adjacent to Caxton Schools, following demolition of existing buildings comprising the gymnasium, indoor swimming pool and outdoor swimming pool complex	Permitted 14.6.2019
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## 7. DEVELOPMENT PLAN

7.1 The main relevant policies are:

### Adopted Borough Local Plan

Issue	Policy
Climate Change	SP2
Character and Design of New Development	QP3
Development in Rural Areas and Green Belt	QP5
Historic Environment	HE1
Managing Flood Risk and Waterways	NR1
Nature Conservation and Biodiversity	NR2
Trees, Woodlands and Hedgerows	NR3
Environmental Protection	EP1
Noise	EP4
Contaminated Land and Water	EP5
Sustainable Transport	IF2

### Adopted Eton and Eton Wick Neighbourhood Plan (2016-2036)

Issue	Policy
Development within Eton	HD3
Biodiversity	EN1
Flooding	EN3

## 8. MATERIAL PLANNING CONSIDERATIONS

### National Planning Policy Framework Sections (NPPF) (2023)

Section 12 - Achieving well-designed and beautiful places

Section 13 - Protecting Green Belt land

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

## Supplementary Planning Documents

- Borough Wide Design Guide
- Eton Conservation Appraisal (2009)

## Other Local Strategies or Publications

Other Strategies or publications material to the proposal are:

- RBWM Townscape Assessment
- Interim Sustainability Position Statement
- Corporate Strategy
- Environment and Climate Strategy

## 9. CONSULTATIONS CARRIED OUT

### Comments from interested parties

- 9.1 53 occupiers were notified directly of the application.
- 9.2 The planning officer posted notices advertising the application at the site on the 28<sup>th</sup> September 2023 and the application was advertised in the Local Press on the 29<sup>th</sup> September 2023.
- 9.3 A Statement of Community Involvement has been submitted with the application. The applicant has undertaken consultation with the Eton Town Council, Eton Community Association and The Windsor and Eton Society. No response was received from The Windsor & Eton Society. In summary the Eton Community Association were supportive of the scheme. One question was raised about the community use of the building. The Aquatic Centre provides community use as per the original consent and legal agreement and the SSC building is primarily for school use by the College. Eton Town Council were supportive and sympathetic to the proposals.

### Statutory consultees

Consultee	Comment	Where in the report this is considered
Environment Agency	No objection subject to a condition	Section 10iii
LLFA	No objection	Section 10iii

### Consultees

Consultee	Comment	Where in the report this is considered
Highways	No objection subject to conditions	Section 10viii
NatureSpace	Surrounding habitat suitable for great crested newts - informative recommended	Section 10v
Environmental Protection	Conditions recommended - Contaminated land, fixed plant noise and lighting.	Section 10ix

Archaeology Officer	The site lies within an area of archaeological potential – condition recommended	Section 10ix
Conservation Officer	No objection subject to conditions	Section 10ii
Ecology Officer	No objection subject to conditions	Section 10v
Historic England	No comment to make	

### Others (e.g. Parish and Amenity Groups)

Group	Comment	Where in the report this is considered
Eton Town Council	No comments received	
Sports England	Support the application - the provision of the new facilities will allow for a wider range of sports to be played on site to a high level. Would encourage the college to consider entering into a community use agreement with one or more of the national governing bodies of sport.	Section 10ix

## 10. EXPLANATION OF RECOMMENDATION

10.1 The key issues for consideration are:

- i. Principle of Development
- ii. Design and Character including Heritage Assets
- iii. Flood Risk
- iv. Trees and Landscaping
- v. Ecology and Biodiversity
- vi. Sustainability and Energy
- vii. Impact on neighbouring amenity
- viii. Transport and Highways
- ix. Other material considerations

### i. Principle of Development

10.2 The proposal is for new and upgraded sporting facilities at Eton College and the application is to amend the previously consented School's Sport Centre (SSC). The principle of development has already been accepted and the proposal will enhance the College's indoor facilities to enable the delivery of a fully inclusive sports programme and meet the recreational needs at a level comparable to other independent boys boarding schools.

10.3 As before, part of the application site lies within the designated Green Belt and the boundary of the Green Belt follows the line of the existing sport buildings. A small portion of the proposed new buildings will encroach into the adjacent Green Belt and the level of encroachment will be similar to the permitted scheme. It was originally determined that the proposal would meet the exceptions to development in the Green Belt set out in paragraph 154d) of the NPPF '*the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces*'. This remains unchanged and the principle of development is acceptable.

## ii. Design and Character including impact on Heritage Assets

- 10.4 The site lies within the Eton Conservation Area. Angelos House, a grade II listed building, lies to the southeast of the site. Non-designated heritage assets surround the site to the east, west and south including Wotton House and Caxton House.
- 10.5 The application has been accompanied by a Heritage Statement prepared by Turley Heritage, a Design & Access Statement prepared by Hopkins Architects which includes an Accessibility Statement People Friendly (Appendix 1.0), a Landscape Report prepared by Townshend Landscape Architects (Appendix 2.0) and Coloured Applications Drawings (Appendix 3.0). A Landscape Visual Impact Assessment is also provided to show the proposed development from several key views including the view across The Field from Fifteen Arch Bridge and from Common Lane.
- 10.6 BLP policy HE1 requires the historic environment to be conserved and enhanced in a manner appropriate to its significance. BLP policy QP3 requires new development to contribute towards achieving sustainable high-quality design including respecting and enhancing the local, natural or historic character of the environment, paying particular regard to urban grain, layouts, rhythm, density, height, scale, bulk and massing. This criteria is also reflected in Neighbourhood Plan policy HD3.
- 10.7 The application site comprises a collection of buildings which have been built overtime in a piecemeal manner. The site and buildings are visible from the approach into Eton from Fifteen Arch Bridge across 'The Field' and seen within the context of Wotton House, a large Edwardian boarding house. The existing view from this point consists of the indoor swimming pool (single storey) and the squash court building which are of low architectural merit. The Rackets building is currently undergoing refurbishment and extensions at the north-eastern end of the site.
- 10.8 Whitely Hall (the gymnasium), is a red brick building fronting onto Common Lane, thought to date from 1907. It has a large, tiled gable roof form, a central doorway at the front and windows which have been blocked up over time. The building holds notable qualities that positively contribute to the character and appearance of the conservation area. The Whitely Hall and Rifle Range are now proposed to be retained rather than demolished and redeveloped. Their retention, particularly Whitely Hall, is welcomed and would have a positive impact on the historic built environment. The refurbishment works to Whitley Hall include the opening up of the windows along the Common Lane elevation which would be a positive improvement and would enhance the street scene and the conservation area. It would reactivate the elevation adding further interest to the building and improve its appearance. Although the loss of the door opening would result in some loss to the original building fabric, the overall works to be building are supported from a conservation perspective.
- 10.9 The alterations to the rifle range building include thermal improvements to the external facade. The ground floor is proposed to be rendered and the existing colonnade infilled with a mixture of glazing and timber louvres. Handmade clay shaped, hanging tiles are proposed at first floor to add texture and interest to the flank elevation. The existing gable roof form would be simplified to help improve insulation and would be an improvement and ensure it remains subservient to Whitely Hall. The proposal would have an acceptable impact on the conservation area and the setting of Angelos House, a grade II listed building.
- 10.10 The proposed main sport buildings would replace the existing squash courts and indoor swimming and would sit alongside the refurbished Fives Courts and Rackets building and adjacent to Wootton House and The Field. The overall height of the eaves and ridge has increased slightly from the consented scheme to accommodate the omission of the lower ground floor and the raising of the internal finished floor level at ground level. The overall height has increased by approximately 1.8m to 12.8m and the eaves height by approximately 1m to 7.4m. The volume of the sports hall has been broken up with a steeper pitch roof and a series of gables to the flank elevations to help reduce the overall massing. The buildings would remain

subservient to Wotton House and the height of the proposed development is fairly consistent along the length of the site, resulting in a long elevation which is broken up by physical separation to the upper levels/roof forms, materiality and orientation of roofs. The arrangement and massing of the built form is positive and provides clear distinction between the various sports facilities. The proposed buildings would have an acceptable visual impact when viewed from Fifteen Arch Bridge and across The Field. A row of 10 lime trees is proposed to be planted to replace the trees already consented to be removed, to help soften and break up the elevation when viewed from Fifteen Arch Bridge.

- 10.11 The new entrance into the new sports facility is set back from Common Lane to the rear of Whitely Hall and includes a glazed link between the new development and the retained building. It would provide a 'buffer' and separation improving the existing arrangement. The removal of the single storey structure to the west of Whitely Hall would provide a wider gap to the north of the building and open up the entrance route to the new development and provide a ramped access. A new garden space on the Fives court route is proposed along with a low-level canopy and bench for spectators of Fives. Revised boundary treatment and new tree planting adjacent to Caxton House is proposed together with a single storey detached cafe building of contemporary design, to be used by staff and students, which would be set back from Common Lane, alongside Caxton House.
- 10.12 The revised scheme has been sensitively developed by the architect's following consultation, pre-app advice and comments from the South East Design Panel Review. The important views from Common Lane and Fifteen Arch Bridge across The Field are to be retained. The revised proposal is a well-conceived and a carefully developed scheme. The impact of the proposed development would amount to less than substantial harm to the significance of the designated heritage assets and the benefits of improving the existing sports facilities would outweigh any harm. Subject to securing further details relating to external materials, windows, brickwork etc the proposal would have an acceptable impact on the character and appearance of the site itself, the local environment and the heritage assets in accordance with BLP policies HE1 and QP3 and NP policy HD3.

### **iii. Flood Risk**

- 10.13 The application site lies within Flood Zone 3 (high probability of flooding) and the application has been accompanied by a Flood Risk Assessment prepared by Stantec. The main source of flood risk comes from the River Thames which lies to the southeast of the site and the Colenorton Brook, a small river course which runs to the north of the site.
- 10.14 BLP policy NR1 sets out the approach for dealing with flood risk and section 14 of the NPPF provides guidance as to how developments in areas of flood risk should be assessed. Neighbourhood Plan policy EN3 sets out that development should not increase maximum flood levels within adjoining properties.
- 10.15 The revised scheme has a similar footprint to the consented scheme and the lower ground floor area has been significantly reduced.
- 10.16 The EA has confirmed that the SSC site lies within flood zone 3b (functional floodplain). The Planning Policy Guidance on Flood Risk does not normally permit development within the functional floodplain unless it is essential infrastructure and the exceptions test is passed. In this case the proposal would be a replacement of the same existing use and would not therefore introduce a use of a different vulnerability at the site and remains within the 'more vulnerable' classification. It amends a previously consented scheme and furthermore, it has been demonstrated that there would be an overall improvement in flood plain storage capacity.

#### Flood mitigation measures

- 10.17 The flood risk mitigation measures for the proposed development consists of the following:



- The proposed ground floor level of the new Sports centre will be set at a minimum level of 20.35m AOD (i.e. 670mm above the present-day 1 in 100 (1.0%) annual probability flood level and 50mm below the equivalent +35% allowance for climate change flood level) as agreed with the EA for the previous iteration of the scheme over the site.
- Flood risk to lower-level elements such as the cafe and lower ground floor plant room will be mitigated through the incorporation of elevated thresholds, flood resilience measures and water resisting construction in accordance with CIRIA Report 139 table 2.3.
- A floodplain storage analysis demonstrates an overall betterment in floodplain storage capacity over the area, due to the increased capacity provided by the wider redevelopment of the sports facilities over Eton College site (of which the SSC scheme is part). This wider scheme also includes the floodplain storage gains provided by the consented and now constructed Eton Sports and Aquatic Centre (ESAC) development as well as the cumulative impacts of ground level lowering to the adjacent land known as The Field. These wider works serve to mitigate for the minor losses associated with the increase building footprint over the SSC site up to the 1 in 100 (1.0%) annual probability plus climate change flood level (consistent with the approach agreed with the EA for the original iteration of the scheme).
- Safe access arrangements from the site are addressed through the College-wide Flood Risk Management Plan.
- A proposed surface water drainage strategy for the development consisting of on-site attenuation measures and outlet controls into the adjacent Colenorton Brook, resulting in a reduction in peak runoff rates discharging from the combined site.

10.18 A flood compensation scheme for the ESAC and SSC sites was permitted separately under 19/02590/FULL on the 10<sup>th</sup> February 2020. The flood compensation scheme has been implemented and is now complete and the details are included in Appendix D of the FRA.

10.19 Subject to a condition, the Environment Agency has raised no objection to the revised proposal and has confirmed that the proposal does not increase flood risk, affect flood flows or increase flood risk elsewhere and is an appropriate development in this location.

#### Drainage

10.20 A Drainage Strategy, prepared by Cundall accompanies the application. The drainage strategy has been designed to manage and convey all storm water falling on the site up to and including the 1:100-year storm event including a 40% allowance for climate change. Surface Water will be discharged via gravity to the Colenorton Brook via a newly installed outfall forming part of the previously approved works.

10.21 The drainage strategy proposed is not materially different from the previously approved strategy under application number 21/02533/CONDIT. The LLFA has confirmed that they have no comment to make regarding this application.

10.22 The drainage strategy is acceptable, and the proposal accords with the guidance set out in the NPPF, BLP policy NR1 and NP policy EN3.

#### **iv. Trees and Landscaping**

10.23 The application has been accompanied by an updated Arboricultural Impact Assessment (AIA) which includes a tree constraints plan and impact assessment plan prepared by AECOM. All the trees within the Conservation Area are subject to statutory protection. The tree information has been updated to show the removal of the 3 trees within the garden of Angelos which have already been consented to.

10.24 A total of 22 trees have already been consented to be removed across the whole site under the previous consented schemes including a row of London Plane trees on The Field, adjacent to the existing swimming pool and Rackets buildings. Of the trees consented to be removed, sixteen have already been removed.

- 10.25 The revised proposal will not require the loss of any additional trees. Tree (T73), a mature category B Horse Chestnut tree fronting Common Lane is proposed to be pruned to provide a 3m clearance with the existing building. This is however less than the level of clearance identified as part of the previous permitted scheme and the revised proposal will not significantly change the level of impact on the tree or significantly impact the health or amenity value of the tree.
- 10.26 Subject to securing appropriate conditions including mitigation measures, tree protection and an Arboricultural Method Statement, the proposals are acceptable in terms of impact on trees.

#### Hard & Soft Landscaping

- 10.27 A Public Realm and Landscape Strategy, prepared by Townshend Landscape Architects, accompanies the application and details the comprehensive and integrated approach to landscaping across the site. Landscape details are also provided in Appendix 2.0 of the D & A Statement.
- 10.28 As before it will be important to compensate for the loss of trees as part of a comprehensive landscape scheme and a specimen tree planting scheme to offset the loss of trees has been included which includes the planting of a row of 10 Lime trees along the length of the sport buildings on The Field and the planting of a native hedgerow to help soften the appearance of the proposed development from The Field.
- 10.29 Set back from Common Lane, an area of public realm is proposed which includes a sloped access. A long bench is proposed to curve around a proposed tree to frame the public space and create a space for people to gather and meet. A pocket space is also proposed between the SSC and the Fives Courts and includes native hedge planting, a Persian Ironwood tree and a long timber bench. Permeable clay brick paving is proposed to be laid across most of the site.
- 10.30 Landscaping along the Common Lane frontage will replace the existing informal parking area and will include the retained Horse Chestnut tree, a proposed Field Maple tree and shrub and herbaceous planting which will help improve the appearance of the street scene and the conservation area.
- 10.31 Overall, the proposed landscaping approach will improve the existing external spaces across the site by integrating soft landscaping, tree planting, hedgerows and hard landscaping using high quality materials and the proposal accords with BLP policies QP3 and NR3.

#### **v. Ecology and Biodiversity**

- 10.32 The application has been accompanied by an Ecological Impact Assessment (Davidson-Watts Ecology Ltd, September 2023). The assessment sets out the extensive range of surveys that have been carried out within and adjacent to the site.
- 10.33 BLP policy NR2 sets out how the natural environment should be considered and a requirement to demonstrate a net gain in biodiversity. Neighbourhood Plan policy EN1 states that proposals which demonstrate net gains to biodiversity will be supported.
- 10.34 The habitats directly affected by the proposal comprise hard standing, buildings, bare ground, amenity grassland and scattered trees, none of which are priority habitats but nevertheless have some ecological value. Some trees are proposed to be removed as part of the proposed. A Biodiversity Net Gain Metric 4.0 calculation sheet and associated condition sheet has been submitted to accompany the application. Under the current proposals, the development will provide a net gain of 0.13 habitat units (16.58% gain in habitat area). This will be achieved by the creation of new habitats such as areas of wildflower grassland, native trees, hedgerow and shrub planting alongside ornamental planting. The document has demonstrated that the proposed development can provide a net gain in biodiversity post development and a condition can be secured to ensure that these enhancements are provided. In addition, other enhancements such

as the installation of integral bird and bat boxes, bug hotels and bee bricks can be secured by condition.

- 10.35 None of the trees within the application site have potential bat roost features that could support bats. The buildings on site were recorded to have moderate potential to support roosting bats and two soprano pipistrelles were recorded emerging from the sports hall and rifle range and the report concludes that the building hosts a day roost for small numbers of soprano pipistrelle bats. The works will therefore need to be undertaken under licence from Natural England and a licence for development works affecting bats will need to be obtained from Natural England before works which could impact upon the roost can commence. The report provides a suitable mitigation plan to ensure that bats are not harmed and that replacement roosting sites are provided. Providing it is implemented, the favourable conservation status of bats would be maintained. A condition can be secured to ensure that a licence is obtained from Natural England which will require the implementation of the bat mitigation strategy. The LPA has a statutory duty under the Habitat Regulations to be satisfied that a licence for development works affecting bats is likely to be granted by Natural England. Officers consider that subject to appropriate mitigation as set out in the submitted ecological report, to be secured by condition, the proposed works would pass the three tests of the Habitat Regulations, and would therefore receive a licence from Natural England.
- 10.36 Given that the site and surrounding habitats are suitable for use by foraging and commuting bats, a condition needs to be secured to ensure that any new external lighting to be installed would not adversely affect bats or other wildlife. In addition, a condition is recommended to ensure that nesting birds, which are a protected species, are protected during the development. The site is also surrounded by an area highly suitable for Great Crested Newts and an informative is recommended.
- 10.37 Subject to securing appropriate conditions the proposal is acceptable in terms of its impact on ecology and in terms of biodiversity and accords with BLP policy NR2 and NP policy EN1.

#### **vi. Sustainability & Energy**

- 10.38 The application has been accompanied by an Energy and Sustainability Statement and Pre-BREEAM Assessment prepared by Cundall.
- 10.39 BLP policy SP2 requires all development to demonstrate how they have been designed to incorporate measures to adapt to and mitigate climate change. The Council's Interim Sustainability Position Statement requires all development to achieve net carbon zero unless it is demonstrated this would not be feasible. Where it is demonstrated that the net zero outcome cannot be fully achieved on site, a shortfall may be provided through a cash in lieu contribution to the Borough's Carbon Offset Fund.
- 10.40 The building is designed to maximise passive heating and cooling. A high-performance building fabric is proposed with insulation levels increased beyond those required for minimum Building Regulations compliance. Connection to a Ground Source Heat Pump (GSHP) system is proposed and solar Photovoltaic (PV) Panels are proposed on the flat rooftops of the buildings, and these will be screened by the surrounding pitched roofs. More than 37.5% of the energy demand is estimated to be met by low and zero carbon technologies.
- 10.41 A BREEAM pre-assessment has also been prepared, identifying a pathway to achieve the targeted 'Very Good' rating. A variety of other sustainability measures including good daylight, thermal comfort, water efficient fixtures and fittings and minimising light pollution for external lighting are also proposed.
- 10.42 Subject to the completion of a Unilateral Undertaking to secure a carbon off set contribution of £45,185 and an appropriate condition, the proposal would accord with the requirements set out in BLP policy SP2 and the Council's ISPS.

## **vii. Impact on surrounding properties**

- 10.43 The site is surrounded by buildings owned by Eton College including Angelos House, Wotton House and Caxton House, which are all boarding houses. The proposal would result in very little change in terms of siting and massing and would have no adverse impact on the amenities or living conditions of the adjacent boarding houses. Whilst there are some windows in the side elevation of Wotton House, most are obscure glazed and do not serve habitable rooms. The proposal would have no adverse impact on any sensitive receptors in the immediate vicinity.
- 10.44 The proposal would have an acceptable impact on the amenities enjoyed by the adjacent properties in terms of privacy, sunlight, daylight, noise, disturbance, smell and pollution and would accord with BLP policies QP3 and EP4.

## **viii. Transport and Highways**

- 10.45 A Transport Note and Construction Management Plan have been provided with the application.
- 10.46 The original consented scheme under application number 18/02033/FULL included a new access road from Slough Road and parking in association with the ESAC site. This remains unchanged and does not form part of this current proposal.
- 10.47 The SSC site does not propose to provide any parking as it will be primarily used by school staff and pupils who primarily live on site and will be on foot. The existing informal parking area in front of Whitely Hall in Common Lane is to be removed and replaced by landscaping to enhance and improve the conservation area. Since there are other parking facilities located elsewhere on the Eton College campus and no additional staff are required in connection with the proposal there is no objection to the loss of the informal parking spaces.
- 10.48 Refuse and fire access will be via Common Lane using the existing driveway along the southeast of the rifle range building and a swept path analysis has been provided to ensure sufficient access. A bin store is proposed within the rifle range building and cycle parking (Sheffield cycle stands) is proposed to the rear of the rifle range building.
- 10.49 The Construction Management Plan provided with the application will need to be conditioned to ensure that any disruption during the demolition and construction phase is kept to a minimum.
- 10.50 The proposal raises no highway or parking concerns subject to securing appropriate conditions and the proposal accords with BLP policies QP3 and IF2.

## **ix. Other Material Considerations**

### Contaminated Land

- 10.51 The application has been accompanied by a Geotechnical and Geoenvironmental Phase I Desk Study and a Phase II Geotechnical and Geoenvironmental Assessment (25 August 2023) prepared by Cundall.
- 10.52 The Environmental Protection team has raised no objection to the proposal subject to securing appropriate conditions.

### Archaeology

- 10.53 The site is of archaeological interest and a copy of the approved Written Scheme of Investigation prepared by Oxford Archaeology, approved under 19/01773/CONDIT, has been submitted and a suitable condition will need to be secured.

## Community function

10.54 Under the original Eton Sports and Aquatic Centre (ESAC) consent was agreed that 'Athens' would serve a community function with community access to the sports hall and swimming pool. This was secured by a S106 agreement, and this remains in place. The new School Sports Centre (SCC) is not proposed to serve a community function consistent with the original consent.

## **11. COMMUNITY INFRASTRUCTURE LEVY (CIL)**

11.1 The development is not CIL liable.

## **12. CONCLUSION**

12.1 The revised proposals will deliver improved sporting facilities for Eton College and a highly sustainable development which now includes the retention of the existing Whitely Hall and Rifle range in Common Lane which will have a positive benefit on the conservation area and streetscape. The proposal ensures a high quality of design which optimises the site and protects and enhances the heritage assets.

12.2 All the relevant technical and environmental matters have been appropriately addressed and the proposal accords with national and local policies.

## **13. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan and layout
- Appendix B – plans and elevation drawings

## **14. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

1 The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development shall be undertaken in accordance with the Written Statement of Investigation prepared by Oxford Archaeology. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the WSI and provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: The site lies in an area of archaeological potential and the potential impacts of the development can be mitigated through a programme of archaeological work in accordance with national and local plan policy HE1.

3 Prior to the commencement above slab level of the SSC Building the following details shall be submitted to and approved in writing by the Local Planning Authority:

a) A schedule of external materials including bricks,tiles/slates, mortar mix and bonding. A sample brick panel and sample of the slate/tile shall be made available for inspection on site by the Local Planning Authority Conservation Officer for approval.

b) Detailed plans, elevations and sections of the eaves and guttering

c) Detailed plans, elevations and sections of the proposed windows and external doors

The works shall thereafter be undertaken in accordance with the approved plans.

Reason: To ensure good quality design and materials, to protect and enhance the character and appearance of the conservation area. Relevant policies -Local Plan QP3 and HE1.

4 Prior to the commencement of works associated with the demolition of the timber garage and the

removal of the boundary fence at Angelos, details of the design and material of the proposed boundary wall shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be undertaken in accordance with the approved plans.

Reason: To protect and preserve the character and appearance of the conservation area. Relevant policies -Local Plan HE1.

- 5 Prior to the commencement of works in relation to the proposed cafe building details of the external materials shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be undertaken in accordance with the approved plans.

Reason: To protect and preserve the character and appearance of the conservation area. Relevant policies -Local Plan QP3 and HE1.

- 6 Prior to the commencement works to Whitely Hall, detailed drawings at a scale of 1:10 of the new timber windows including joinery details, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason: To preserve the special interest of the non-designated Heritage Asset and the character and appearance of the conservation area in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 7 Prior to the commencement works to Whitley Hall, details of the bricks to be used in the repair of the external elevations of the building, including product and manufacturers information, shall be submitted to and approved in writing by the Local Planning Authority. A sample shall be made available on site for inspection by the Local Planning Authority Conservation Officer. Works shall be carried out in accordance with the approved details.

Reason: To preserve the special interest of the non-designated heritage asset in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990

- 8 Prior to the installation of the external finishes to the rifle range building, details of the render finish including colour, the handmade shaped clay tile to be used on the building and detailed drawings at a scale of 1:10 of the new timber windows and louvres including joinery details, shall be submitted to and approved in writing by the Local Planning Authority. The tile sample shall be made available on site for inspection by the Local Planning Authority Conservation Officer and approval. Works shall be carried out in accordance with the approved details.

Reason: To preserve the special interest of the non-designated heritage asset and the character and appearance of the conservation area in accordance with Policy HE1 (Borough Local Plan, February 2022) and the Planning (Listed Buildings and Conservation Areas) Act 1990

- 9 Prior to installation details of all hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority and thereafter undertaken in accordance with the approved scheme.

Reason: In the interests of the visual amenities of the area and the character and appearance of the Conservation Area. Relevant Policies - Local Plan QP3 and HE1.

- 10 The erection of fencing to protect the retained trees and any other tree protection specified shall be undertaken in accordance with the details provided in Appendix D,E & F of the Arboricultural Impact Assessment before any equipment, machinery or materials are brought on to the site, and thereafter maintained until the completion of all construction work and all equipment, machinery and surplus materials have been permanently removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the Local Planning Authority.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan QP3 and NR3.

- 11 The development shall be carried out in accordance with the tree mitigation measures set out in the Arboricultural Impact Assessment unless consent is first agreed in writing to any variation and thereafter maintained.

Reason: To protect trees which contribute to the visual amenities of the site and surrounding

area. Relevant Policies - Local Plan QP3 and NR3.

- 12 Prior to development commencing on site (including demolition) an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.  
Reason: To protect trees which contribute to the visual amenities of the site and surrounding area. Relevant Policies - Local Plan QP3 and NR3.
- 13 No tree or hedgerow shown to be retained in the approved plans shall be cut down, uprooted or destroyed, nor shall any retained tree be lopped or topped other than in accordance with the approved plans and particulars or until five years from the date of occupation of the building for its permitted use. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 Tree work. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted in the immediate vicinity and that tree shall be of the same size and species, and shall be planted at such time as specified by the Local Planning Authority.  
Reason: In the interests of the visual amenities of the area. Relevant Policies -Local Plan QP3 and NR3
- 14 The hard and soft landscape works shall be carried out in accordance with the approved details and the soft landscaping shall be carried out within the first planting season following the substantial completion of the development and retained in accordance with the approved details. If within a period of five years from the date of planting of any tree or shrub shown on the approved landscaping plan, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted in the immediate vicinity, unless the Local Planning Authority gives its written consent to any variation.  
Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area. Relevant Policies -Local Plan QP3 and NR3.
- 15 The proposed development shall be carried out in accordance with the details set out in the Flood Risk Assessment dated September 2023 prepared by Stantec and shall include:
1. Finished floor levels for the School Sports Centre (SSC) site to be no lower than 20.35m AOD. The finished floor level of the proposed cafe will be set at 19.52 AOD and the existing rifle range entrance will be maintained at 19.80 AOD.
  2. Flood resilience measures and water resisting construction to mitigate flood risk for the cafe and lower ground floor plant room.
  3. The retention of the approved and implemented flood storage compensation scheme approved under application number 19/02590/FULL, as detailed in Appendix D of the FRA.
  4. Safe access arrangements from the site to be addressed through the College-wide Flood Risk Management Plan.
  5. There shall be no raising of existing ground levels on the site.
  6. There shall be no storage of any materials including soil (other than use at the time of construction) within the 1% annual probability (1 in 100) flood extent (Floodplain) with an appropriate allowance for climate change.
- The flood mitigation measures shall be implemented prior to occupation of the development and thereafter retained.  
Reason: To ensure that the proposed development is safe from flooding and will not result in any increased flood risk at the site or any surrounding areas in accordance with paragraphs 168 and 169 of the NPPF and Local Plan policy NR1.
- 16 The development shall be carried out in accordance with the surface water drainage strategy dated 31st August 2023 prepared by Cundall and maintained in accordance with the approved details.  
Reason: To ensure compliance with National Planning Practice Guidance and the Non-Statutory Technical Standards for Sustainable Drainage Systems, and to ensure that the proposed development is safe from flooding and does not increase flood risk elsewhere. Relevant Policy - Local Plan NR1.
- 17 Works to the buildings shall not commence until a licence for development works affecting bats

has been obtained from the Statutory Nature Conservation Organisation (Natural England) and a copy has been submitted to and approved in writing by the Local Planning Authority. Thereafter mitigation measures approved in the licence shall be maintained in accordance with the approved details. Should conditions at the site for bats change and/or the applicant conclude that a licence for development works affecting bats is not required, the applicant is to submit a report to the Local Planning Authority detailing the reasons for this assessment and this report is to be approved in writing by the Local Planning Authority prior to commencement of works.

Reason: The sports building hosts a bat roost which will be affected by the proposals. This condition will ensure that bats, a material consideration, are not adversely impacted upon by the proposed development and that the Council demonstrates that it has fulfilled its duties under the Conservation (Natural Habitats and Conservation) Regulations 1994 (as amended) - Relevant Policy - Local Plan NR2.

18 Prior to the commencement above slab level, a report detailing any new external lighting scheme and how this will not adversely impact upon wildlife shall be submitted to and approved in writing by the Local Planning Authority. The report shall include the following figures and appendices:

- A layout plan with beam orientation

- A schedule of equipment

- Measures to avoid glare

- An isolux contour map showing light spillage to 1 lux both vertically and horizontally and areas identified as being of importance for commuting and foraging bats and locations of bird and bat boxes.

The approved lighting plan shall thereafter be implemented as agreed.

Reason: To ensure that wildlife is not adversely affected by the proposed development in line with the NPPF and Local Plan policy NR2.

19 No development shall take place until full details of a Biodiversity Gain Plan for onsite delivery and monitoring of Biodiversity Net Gain and a Habitat Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plans shall deliver a 0.13 increase in habitat units. The plans shall be in accordance with the approved biodiversity net gain assessment and shall include (but not be limited to) the following:

a) A habitat management plan

b) Long term aims and objectives for habitats and species

c) Detailed management prescriptions and operations for newly create habitats, locations, timing, frequency durations, methods, specialist expertise (if required), specialist tools/machinery or equipment and personnel as required to meet the stated aims and objectives

d) A detailed prescription and specification for the management of the new habitats

e) Details of any management requirements for species specific habitat enhancements

f) Annual work schedule for at least a 30 year period

g) Detailed monitoring strategy for habitats and species and methods of measuring progress towards and achievement of stated objectives

h) Details of proposed reporting to the Local Planning Authority and the Council's ecologist and proposed review and remediation mechanism

i) Proposed costs and resourcing and legal responsibilities

The Biodiversity Gain and Habitat Management Plan shall be implemented in accordance with the agreed details and timetable and all habitats and measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To ensure the provision of biodiversity enhancements and a net gain in biodiversity in accordance with the NPPF and Local Plan policy NR2.

20 Prior to commencement of the development above slab level, details of biodiversity enhancements to include, but not be limited to, integral bird and bat boxes and insect boxes, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancements shall thereafter be installed as approved and a brief letter report confirming that the enhancements have been installed, including a simple plan showing their location and photographs of the enhancements in situ shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To incorporate biodiversity in and around the development in accordance with the NPPF and local plan policy NR2.



- 21 The building works and vegetation clearance are to be undertaken outside the bird-nesting season (March- August inclusive) or if works during the bird nesting season cannot reasonably be avoided, a suitably qualified ecologist shall check the areas to be affected prior to demolition/clearance and advise whether nesting birds are present. If active nests are recorded, no clearance or other works that may disturb active nests shall proceed until all young have fledged the nest.  
Reason: To ensure that nesting birds are not adversely affected by the proposed development in line with wildlife legislation and local plan policy NR2.
- 22 The development shall be carried out in accordance with the measures set out in the Phase I and Phase II Geotechnical and Geo Environmental Assessment and prior to occupation of the buildings, the following details shall be submitted to and approved in writing by the Local Planning Authority and implemented:  
Submission of Remediation Scheme.  
A detailed remediation scheme to bring the site to a condition suitable for intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.  
Implementation of Approved Remediation Scheme.  
The approved remediation scheme must be carried out in accordance with its terms, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.  
Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.  
Reporting Unexpected Contamination  
In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work must stop and it must be reported immediately by telephone and in writing to the Local Planning Authority within 2 working days. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared and submitted and approved in writing of the Local Planning Authority.  
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, submitted and approved in writing by the Local Planning Authority.  
Reason: To ensure that risks from land contamination to the future users of the land and the neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. Relevant Policy Local Plan EP5
- 23 The rating level of the noise emitted from fixed plant and stationery equipment shall not exceed the existing background level (to be measured over the period of operation of the proposed development and over a minimum reference time interval of 1 hour in the daytime and 15 minutes at night). The noise levels shall be determined 1m from the nearest noise-sensitive premises. The measurement and assessment shall be made in accordance with BS 4142:2014+A1:2019 (or an equivalent British Standard if revised or replaced).  
Reason: To protect the amenities of the area. Relevant Policy - Local Plan EP4.
- 24 The Construction Management Plan shall be implemented as approved and maintained for the duration of the works or as may be agreed in writing by the Local Planning Authority.  
Reason: In the interests of highway safety and the free flow of traffic. Relevant policies Local Plan IF2.
- 25 The cycle parking facilities shall be installed in accordance with the approved plans.  
Reason: To ensure that the development is provided with adequate cycle parking facilities in order to encourage the use of alternative modes of transport. Relevant Policies -Local Plan QP3

and IF2.

- 26 No part of the development shall be occupied until the refuse bin storage area has been provided in accordance with the approved details. These facilities shall be kept available for use in association with the development at all times.  
Reason: To ensure that the development is provided with adequate facilities that allow it to be serviced in a manner which would not adversely affect the free flow of traffic and highway safety and to ensure the sustainability of the development. Relevant Policies - Local Plan QP3 and IF2.
- 27 The development shall be undertaken in accordance with the measures set out in the Energy and Sustainability Statement dated 25th August 2023.  
Reason: To help mitigate climate change in accordance with the Council's Interim Sustainability Position Statement and policy SP2.
- 28 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

### **Informatives**

- 1 The applicant is reminded that under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works then all works should cease and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.  
The following recommendations are also provided to further reduce the likelihood of impacts on this species:  
Any trenches left overnight should be covered or provided with ramps to prevent GCN from becoming trapped.  
Any building materials such as bricks, stone etc should be stored on pallets to discourage GCN from using them as shelter.  
Any demolition materials should be stored in skips or similar containers rather than in piles on the ground.