

Planning Application 251421 (Development of 53 houses off Old Forest Road)

Additional response/objection (on behalf of the Emmbrook Residents Association)

The following comments are provided in addition to our previous submissions on this matter, which included:

- Application compliance/completeness – **30 Jun 2025**
- Full commentary on the application (focused on access arrangements) – **7 Jul 2025**
- Changes to access road design, tree protection proposals, impact on neighbouring driveways & existing drainage across the access road – **17 Sep & 4/21 Nov 2025**
- Concerns about exclusion of residents from the pre-application consultation – **12 Dec 2025**
- Arboriculture Expert Report & Objection Statement commissioned by residents – **7 Jan 2026**

These additional comments are made in response to further documentation provided by the applicant in Jan 2026, and also in response to documents provided on 3 Feb 2026 in reply to a Freedom of Information (FOI) request concerning pre-application consultation and comments made by WBC Highways and Landscapes consultees on the application.

As a general point, all the concerns and objections we raised in the above submissions (except for point 6 below) have not been addressed by the changes made by the applicant and therefore remain in full. Our additional responses and objections, as detailed below, reinforce our positions previously made and reference further detail supporting those objections based on further information provided by the applicant, WBC or which has subsequently come to light.

1) Proposed access from Old Forest Road (OFR) not compliant with WBC Core Strategy

Our submission in Jul 2025 opposed a decision to access the proposed site from OFR, highlighting that it would:

- Not constitute the most sustainable option
- Conflict with WBC's objective when constructing the NWDR that it should take traffic generated by new developments away from existing residential areas
- Result in unacceptable detriment to existing residents with increases in traffic through Emmbrook Village and on already congested roads (further supported by resident submissions showing substantial congestion/parking on OFR during matchdays).
- Lead to increased environmental impacts affecting existing residents noting emissions already routinely exceed World Health Organisation limits

Our further engagement since has highlighted several relevant matters: (a) a failure to have properly consulted with residents in a transparent manner; (b) the provision of incomplete and misleading advice in the pre-application phase; and (c) failure to properly apply the requirements of the WBC Core Policy and subsequent requirements in the NWDR Planning Approval as detailed further below.

a) Failure to properly consult with residents in a transparent manner

On 9 Dec 2025, we were concerned to hear from the applicant that they discussed alternative access options with WBC (Planning & Highways) during the pre-application consultation process but failed to refer to this in the planning application and WBC failed to raise this with us in subsequent communications. So far documents provided by WBC, in response to our FOI requests, exclude any details of discussions about alternative access to the site.

We also assert that a failure to include residents in the pre-application consultation phase constitutes a breach of the WBC's Statement of Community Involvement as detailed further in our submission on 12 Dec 2025.

b) Incorrect and misleading statements about current access arrangements:

Having now reviewed the WBC pre-application consultation response to the applicant, we are concerned about the following statement:

"...The site is accessed through a narrow private way off Old Forest Road, whereby it passes numerous neighbouring residential dwellings. The site at current is secured by a field gate and runs along neighbouring boundary treatments..."

The residents have advised, to the best of their knowledge, that the proposed access road has not been used to access the site for several decades. In fact, they advise the site was historically accessed using the land adjacent to Toutley Hall Bungalow. We also note that an access was specifically provided to the land as part of the construction of the NWDR, as already highlighted in our earlier submissions. **We therefore assert that the statement made in the pre-application response by WBC was incomplete and misleading regards the current access arrangements and may either intentionally or inadvertently influenced the applicant's decision to propose access from OFR.**

c) Failure to consider WBC Core Strategy requirements for accessing new developments from the NWDR:

CP20 of the Adopted Core Strategy Development Plan Document states *"...it is important that development north of the town is accessed from a distributor road through the SDL to connect satisfactorily into the strategic transport network..."*

Whilst this proposed development is not strictly within the North Wokingham SDL, the North Wokingham Distributor Road (NWDR) was built as a requirement under the Core Strategy (CP20) and this development site was itself created directly as a result of the NWDR construction. We therefore assert that provisions contained in the planning application submitted by WBC for the NWDR are directly relevant to this application. The NWDR provisions contain the following statements:

- *"...The road will be key to providing access to the new dwellings and services developed over the next 10 years..."*
- *"...The highways study concluded that a distributor road would be the most effective means to mitigate the impacts of new development and provide access to new development areas..."*
- *"...the [NWDR]...will provide significant traffic relief for local residents as well as mitigation for the anticipated traffic impacts of development within the North Wokingham..."*

We strongly assert that the provisions within CP20 and the NWDR Application (upon which detail a decision was made to build the NWDR), reinforce our position that access to the site should only be from NWDR (Toutley Road) and that approval of an access from OFR is not compliant with the WBC Core Strategy. This is also a position which should have been considered and set out in the pre-application consultation.

We assert that approving this application, based on access being provided from OFR, would constitute a breach of the Core Strategy (principally CP20) based on details contained therein and details approved as part of the NWDR Planning Application (all as noted above), and the application should therefore be rejected on this basis.

2) Suitability of proposed access road (non-standard road width)

Our concerns

We highlighted this as a key concern in our Jul 2025 submission. It is obvious, from the WBC pre-application consultation response, that those concerns were shared by WBC Highways. As a result, further unacceptable compromises to the access road have been introduced with a priority arrangement.

In Sep 2025 we highlighted visibility concerns regards the operation of the new priority arrangement and information provided under FOI highlights this was also a concern for WBC Highways (despite the planning officer's assurance provided on 4 Nov 2025 that "...WBC Highways have raised no objections to this priority system which restrict vehicle speed (in light of the forward visibility within the site)"), with them requiring traffic calming measures in order to slow traffic approaching the development to avoid collisions due to limited visibility.

WBC Highways review

Whilst WBC Highways appear to have been satisfied that vehicles can pass each other with the swept-path analysis provided by the developer, we highlighted in Jul 2025 that we considered that analysis was flawed for several reasons and most specifically because the swept-path analysis does not consider two larger vehicles (e.g. delivery vehicles, refuse vehicles or larger SUVs) passing each other. This is clearly a likely scenario, and we therefore assert that Highways failure to require that scenario to be modelled means the proposed access is not functional or safe. The Core Strategy - CP1 (10) – requires that developments must "*Provide attractive, functional, accessible, safe, secure and adaptable schemes*". We strongly assert that this application does not provide a scheme where the access arrangements are either functional or safe for the reasons noted.

The applicant's decision to propose an access road of non-standard width has resulted in several significant compromises which substantially detract from the accessibility and functionality of the road and do not fully address the safety concerns raised. Consequently, we assert the proposed access road fails to comply with the Core Strategy - CP1 (10) – requirements for a functional, accessible and safe scheme, and the application should therefore be rejected on this basis.

3) Suitability of proposed access road (removal of protected trees)

Our concerns

Our submissions in Jul & Nov 2025 demonstrated the flawed nature of the applicant's submissions regarding the removal of substantial protected trees, caused directly by their choice of access road.

Our further submission, on 7 Jan 2026, of the Holt Arboriculture Expert report (Holt Report) reinforced those concerns and highlighted that the application was "*supported by demonstrably inaccurate baseline data, fails to prove the engineering feasibility of its primary infrastructure, and proposes a design that is fundamentally incompatible with the long-term survival of high-value, protected trees.*". The report also identified many non-compliances with WBC Core Policy Standards as well as National Standards. The Holt Report also highlighted the flawed nature of the proposed "no-dig" protection proposals and the consequences for future adoption of the access road by WBC which is covered separately below.

WBC Landscapes review

Our FOI request elicited WBC Landscape's response to the arboriculture reports from the applicant in Jul and Nov 2025, and in relation to those we raise several concerns:

- In their 19 Jan 2026 response WBC Landscapes indicate “...*updated arboricultural information was re-submitted on 10 and 16th January...*”. **This information has not been provided on the planning portal.**
- In their 19 Jan 2026 response WBC Landscapes refer to the four trees to be removed (sic as actually there are 3 now to be removed with T22 remaining), and state “...*there is a provisional TPO on these 4 trees...*”. **It is not correct to state that the TPO is provisional, as the TPOs were confirmed on 8 Dec 2025 by the Landscapes team themselves, prior to this submission.**
- On 21 Nov 2026 we raised concerns about the way in which the applicant had treated the assessment of protected trees, in particular noting “... *We strongly consider that the assessment of T19 is materially flawed, when compared to the assessment of T18, and has likely been arrived at on the basis that the access road is not viable were both T18 and T19 to be retained. We therefore consider it is essential that officers seek an independent review of that assessment given the significance to this application and the proposed access road, and the risk that an incorrect assessment leading to the felling of T19 would likely constitute a breach of the confirmed TPO, which has been in place since 1989...*”. **We are therefore very concerned about WBC Landscapes lack of any reasonable interrogation of the applicants approach to assessing protected trees in their submission in Jan 2026, or indeed any assessment of the acceptability for removing protected trees;** they simply state “...*The trees lost to development can be replaced across the scheme...*” without any obvious detail on how that would be achieved or indeed conditions to impose that.
- We are surprised that WBC Landscapes make no reference in their 19 Jan 2026 response to the concerns raised in the Holt Report, despite having been asked to review that report on 7 Jan 2026. We therefore reasonably conclude that those concerns have not been considered by WBC Landscapes.

Documentation provided under FOI raises serious concerns about the suitability of WBC Landscapes review of the planning application. Their submissions make incorrect statements about the nature of Tree Protection Orders on trees due to be removed, there is no evidence of any reasonable interrogation of the applicant’s assessment of protected trees or indeed any reasonable assessment for the removal of protected trees. In Nov 2025 we raised significant concerns about applicant’s arboricultural submissions (supported by an expert report issued in Jan 2026) and there is no evidence that WBC Landscapes have considered any of the points raised. We therefore assert that approval of this application should not be granted, without proper consideration of the points raised, as it presents a significant risk of breaching TPOs.

4) Suitability of proposed access road (‘no-dig’ protection for remaining trees and impact on access gradient to existing properties)

Our concerns

Our submissions on 17 Sep and 21 Nov 2025 highlighted significant concerns regarding the applicant’s design for no-dig protection around remaining trees, and in particular T18. We have demonstrated, with on-site measurements and photos, that the required protection is not achievable, given the road width and level constraints, without resulting in non-compliant access gradients to existing properties (in particular Oaklea Cottage).

These concerns were further supported by the Holt Report submitted in Jan 2026.

WBC Landscapes review

Our FOI request elicited WBC Landscapes's response to the Arboriculture Reports from the applicant in Jul and Nov 2025, and in relation to those we raise several concerns:

- Again, we are surprised that WBC Landscapes make no reference in their 19 Jan 2026 response to the concerns raised by us and in the Holt Report, despite having been asked to review that report on 7 Jan 2026. We are therefore reasonably conclude that those concerns have not been considered by WBC Landscapes.
- It is clear from the response in Aug 2025 that WBC Landscapes had concerns about the protection of tree roots, noting “*...consideration must be given to the levels in order that the root flare of the retained trees is bridged sufficiently and levels can be graded where they enter and exit the site to meet with the existing...We need to see how the RPA of the retained trees will be protected and ameliorated/access to moisture from an appropriate construction detail...*”. In their response to the revised Arboriculture report (19 Jan 2026) **WBC Landscapes do not appear to provide any explanation of how they have satisfied themselves about the RPA protection for retained trees will be provided** and simply state “*...Retained trees along the access road include T18 and T20 both Oak ‘A’, will be subject to incursion into the tree root protection areas from the access road but the road will be constructed above ground level using a ‘No Dig’ technique which will protect the RPAs of these trees...*”.
- In their Aug 2025 response WBC Lanscapes state “*...we require an Arboriculturual Method Statement as a condition of planning permission which includes site specific construction details in the collective RPA including permeable asphalt and its efficacy...*” and again in the response in Jan 2026 they stipulate the inclusion of a planning condition that “*...no development or other operation shall commence on site until an Arboricultural Method Statement and Scheme of Works...*”. **We assert that the ability to protect retained trees goes to the heart of the viability of the proposed access road, and it is essential that WBC are satisfied with the efficacy of the proposed protection mechanisms (i.e. the no-dig protection) before planning is granted.** Simply relying on a planning condition will be too late and we assert it is inevitable that subsequent further compromises will be necessary that will result in either damage to or removal of trees currently proposed as being retained.

WBC Highways review

On 4 Nov 2025 the Planning Officer advised that WBC Highways consider the concerns “*...can be resolved by planning condition to ensure the gradients are appropriate to retain appropriate access...*”. However, the WBC Highways response to the application on 3 Nov 2025 (as provided under the FOT request) appears to contain no reference to this or any planning condition requirement.

In any case, our position regards relying on a planning condition to address this matter is the same as detailed above for WBC Landscapes comments – **we assert it is essential that WBC are satisfied with the efficacy of the proposed protection mechanisms (i.e. the no-dig protection) before planning is granted.**

The provision of documentation under FOI raises serious concerns about the suitability of both WBC Landscapes and WBC Highways review of the application. There is no evidence that significant concerns raised by us about the protection of remaining trees, supported by on-site measurements and the expert Holt Arboricultural Report, have been considered by WBC Landscapes. Instead, it appears WBC are content to rely on a planning condition. We contest that the ability to protect retained trees goes to the heart of the viability of the proposed access road, and it is essential that WBC are satisfied with the efficacy of the proposed protection mechanisms (i.e. the no-dig protection) before planning is granted.

5) Suitability of proposed access road (Impact to vehicles exiting East Toutley Hall)

Our submission in Jul 2025 raised this issue noting “...the road safety audit provided by the applicant does not adequately consider the risks of collision due to vehicles exiting East Toutley Hall and vehicles turning left into the access road. Whilst the road safety audit seeks to address the visibility from vehicles turning into the access road, it takes no account of the visibility for vehicles exiting East Toutley Hall or the consequences of vehicles which are turning into the access road stopping suddenly in OFR, having commenced a turn...”.

This position has not been addressed any further by the applicant, and we are very concerned that WBC Highways have taken no account of these concerns either. WBC Highways response to the application on 3 Nov 2025 (as provided under the FOT request) makes no reference to the concerns we raised and in sections 3 & 4 simply accept the flawed road safety audit on the basis it addresses visibility splays for vehicles entering and exiting the road. No consideration is given to the visibility splay for vehicles exiting East Toutley Hall and the resulting risks of collision. This remains a significant omission in the road safety audit which we would expect WBC Highways to have at least considered.

The provision of documentation under FOI raises serious concerns about the suitability of WBC Highways review of the application (in particular adequacy of the applicant’s road safety audit). There is no evidence that WBC Highways have considered our concerns about visibility splays for vehicles exiting East Toutley Hall and the resulting risk of collisions. We assert this is one of many reasons why the proposed access road is not suitable and for that reason the application should be refused, and in any case we strongly assert this matter must be addressed by WBC Highways before planning determination is concluded.

6) Access to cycle and pedestrian facilities

We are pleased to see the revised submissions from the applicant have addressed our concerns raised in Jul 2025, notably the failure to “...adequately demonstrate linkage between existing footpaths and cycleways on the NWDR and the OFR Meadow SANG, or promote accessibility to and integration with cycleways and adjoining public open space...”. We welcome the changes to incorporate connectivity for cycling and walking to the NWDR.

What this does however reinforce is our position (as noted in section 1 above) that direct connectivity for vehicles should likewise be provided between the site and NWDR (Toutley Road).

It is clear, from information provided under FOI, that WBC have directed the applicant to modify their proposals to provide cycle & pedestrian access to the NWDR, and we assert that WBC should do likewise for vehicular access to comply with the WBC Core Strategy.

7) Loss of privacy to existing properties from Flat 2 side elevations.

Although this was not raised in our initial submissions, with further consideration of the designs and following representations from existing residents, we consider the incorporation of windows in the side elevation of Flat 2 and adjoining balconies represent an unacceptable loss of privacy for existing residents on OFR (in particular Willowcroft and Wychwood) and a non-compliance against the Borough Design Guide SPD.

The pre-application response to applicant notes the following:

“...R15 of the Borough Design Guide SPD requires the retention of reasonable levels of visual privacy to habitable rooms, with separation of 22-30m to the rear and 10-15m to the street. R23 notes that the side walls must not contain windows, especially at first floor level.

The dwellings put forward comply with BDG guidance by virtue of their orientation and separation distance, and therefore there are [not] (sic) likely to be any overlooking concerns raised between the proposed site and those existing along Old Forest Road...

To support this in their pre-application response WBC assess the gap between the proposed Flat 2 and Willowcroft as c62m. We do not consider this takes account of the loss of privacy for gardens at the rear of the affected properties on OFR, a matter it is clear should be considered under the BDG guidance as R16 states “*..In addition, achieving a degree of privacy at the rear of the house, in particular in rear gardens, is a concern for many people...*”. R16 further notes “*...Balconies...should be positioned and designed to: provide some degree of privacy...and protect the privacy of existing residents...*”.

Taking account of the provisions in the Borough Design Guide SPD, notably sections R15, R16 and R23, we assert that WBC’s pre-application response incorrectly advises that Flat 2 meets the BDG guidance for providing privacy for existing residents. The inclusion of windows and balconies overlooking existing residential gardens does not comply with the various provisions in the BDG SPD and the designs should therefore be amended to remove the windows and balconies or otherwise the application rejected.