
Toutley East Residential Development

Application to vary condition 40 (provision of an emergency access through the adjacent Toutley Depot Site) of planning permission 211777 (Outline Application for up to 130 residential units and a 70 bed care home)

Planning Statement

Prepared by WBC Commercial Property – v2 July 2025

Summary

- Toutley East outline planning permission (ref: 211777):
 - Up to 130 dwellings and a new 70 bed care home
 - Main access from Twyford Road to the east, and pedestrian/cycle access from south.
 - Indicative site layout submitted with the planning application incorporated a “secondary street” spine road and tertiary cul-de sacs/streets radiating off.
 - The indicative layout showed an emergency access through the WBC depot to the west – which, if provided, would be gated/restricted other than in the case of emergencies. Condition 40 of the planning permission requires the provision of the emergency access prior to the occupation of the 100th dwelling “in the interests of highway safety”.
- WBC’s Highway Design Guide (Living Streets) identifies that up to 500 homes may be served from a secondary street without need of an emergency access. It follows that there is no policy requirement for the provision of an emergency access at Toutley East on technical highways grounds of safety or capacity.
- Requirement for emergency access through the adjacent depot can be achieved, but will complicate the disposal of the residential site because:
 - The Council will be required to grant a permanent right of way over the retained depot land up to the point it joins the Adopted Highway;
 - Developers will likely require the Council to enter into a covenant guaranteeing the access is kept clear at all times and is maintained to an adoptable standard in order to ensure it can operate as an emergency access as and when necessary; and
 - The emergency access could undermine the function of the noise bund barrier required for the residential development, thus increasing design and build costs.
- The emergency access will also impose an additional management arrangement upon the users of the depot that may negatively impact on the operation of the new Toutley Depot.
- In addition, alternative emergency access arrangements to the development will be afforded via the pedestrian/cycle bridge (required prior to occupation of the development) linking into the Local Centre at Matthewsgreen.
- **Conclusion:**
 - Where there is no expectation/requirement for the emergency access under current planning policy, it follows that in continuing to include it in the scheme would unnecessarily complicate the disposal of the residential land and place unnecessary limitations upon the future operations of the depot.
 - It is therefore proposed that the condition be amended to remove the absolute requirement currently required under the planning permission to provide the emergency access through the depot.

This statement is to support an application to vary planning condition 40 of planning permission 211777. While an emergency access through the depot was originally shown as part of the outline planning application submissions, it is no longer being pursued.

Condition 40

Planning permission 211777 was approved on 19 December 2022. It granted outline consent for up to 130 residential units and a 70 bed care home.

Condition 40 of the planning permission currently reads as follows:

40. Prior to the occupation of the 100th dwelling and/or care home bedroom, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the emergency access through the existing Toutley Depot site.
- b) Details as to how the emergency access will be managed in the event of use (management plan).

The emergency access shall be implemented prior to the occupation of the 100th dwelling and/or care home bedroom and the management plan shall be adhered to throughout the lifetime of the development.

Reason: in the interests of highway safety in accordance with Wokingham Borough Core Strategy Policies CP1, CP6 and CP21.

Proposed Amendment to Condition

40. Prior to the occupation of the 100th dwelling and/or care home bedroom, an Emergency Access Plan (EAP) for the site shall be submitted to and approved in writing by the Local Planning Authority. The EAP shall identify the strategy for emergency access to the development. Should the EAP propose use of the Toutley Depot site, full details of the access arrangements, including a Management Plan setting out operational procedures in the event of emergency use, shall also be submitted to and approved in writing by the Local Planning Authority. Any emergency access shall be provided in accordance with the approved details and, if access via Toutley Depot is proposed, shall be managed in accordance with the approved Management Plan for the duration of its use.

Reason: To ensure that appropriate emergency access arrangements are in place for the development, proportionate to its scale and layout, and in accordance with Wokingham Borough Core Strategy Policies CP1, CP6 and CP21.

Background

Outline planning permission was granted for the development of the Toutley East site for up to 130 dwellings and a new 70 bed care home. The vehicular access to the development is direct from Twyford Road where a new access junction will be provided – also providing pedestrian and cycle access. In addition, the development includes a second pedestrian/cycle access bridging over the brook to the south of the site and linking directly into the local centre provided within the Matthewsgreen development.

The outline planning application submissions included the provision of an emergency access through the WBC owned depot to the west. Condition 40 was imposed and places a positive obligation upon the Council to provide the emergency access prior the occupation of the 100th dwelling and/or care home bedroom.

The stated reason for imposing the condition was “in the interests of highway safety”.

While an emergency access through the depot was originally proposed as part of the planning application, it is no longer being pursued by the Council.

Toutley East Proposals

The Toutley East indicative site layout incorporates a “secondary street” spine road passing through the centre of the site of 5.5m width and flanked by 2m footways on both sides of the carriageway. Tertiary cul-de sacs/streets and shared surfaces are shown accessed from the spine road; each 4.1m or greater in width, thereby allowing two-way vehicular flow whilst keeping vehicular speeds low. Those tertiary streets serve fewer than 100 dwellings each.

Wokingham’s Highways Design Guide (Living Streets) - Secondary & Tertiary Streets

Wokingham’s Highways Design Guide (Living Streets) describes Secondary and Tertiary Street as follows:

Extract from Table A1 of Appendix A of the Highways Design Guide:

	Secondary Street	Tertiary Street
Street Function or Role	Connecting to primary streets and access to dwellings. Major Access Road.	Access to dwellings, with no through movements. Minor Access Road.
Guide max no. of housing	500	200 (100 max. cul de sac for emergency access)
Dimensions	5.5-6.5m (min) carriageway	5m (min) carriageway
Footways	2m (min) on both sides	2m (min) on one or both sides

WBC’s Highway Design Guide (Living Streets) explicitly indicates up to 500 homes may be served from a secondary street. Reference to the need for an emergency access is only made with respect to cul-de-sacs (tertiary streets) serving more than 100 dwellings.

The outline planning application submissions for Toutley East did at the time include an emergency access through the depot. However, the masterplan proposes a secondary street with tertiary streets/cul-de-sacs radiating off such that the emergency access is not an actual requirement of the development under current planning policy.

Winnersh Appeal Site/Decision - APP/X0360/W/23/3331651

The Taylor Wimpey/Winnersh appeal decision secured outline planning permission for a residential development of up to 234 homes with all matters reserved except for an access from Maidensfield. Maidensfield is a secondary street; a no-through route accessed from a single junction on Watmore Lane and with cul-de-sacs (tertiary streets) radiating off. There are currently circa 60 dwellings served by Maidensfield and it’s radiating streets.

Taylor Wimpey proposed a single access to it’s development site via Maidensfield. In those circumstances the access to Maidensfield from Watmore Lane would have serviced circa 300 dwellings (existing and proposed).

At the appeal, the Council accepted in evidence that there was no technical highways reason to prevent up to 234 homes being served from Maidensfield and that, in this regard, the appeal scheme would adhere to the Council's guidance on this matter – i.e. Living Streets, which states that up to 500 homes can be served off at carriageway that is 5.5m wide, which is the width of Maidensfield. Accordingly, a second access (emergency or otherwise) was not justified on account of highway safety or capacity (Appeal Decision: Para 14). By applying the same interpretation of the Council's own policies, it follows that an emergency access is not necessary at Toutley East in the interests of highway safety.

The Inspector for the Winnersh appeal scheme did impose a Grampian condition restricting the scheme to 111 dwellings unless and until a second vehicle and pedestrian access is agreed/provided across the Council's land to the south. This was however a general access as opposed to an 'Emergency Access' and the condition was not imposed on highways technical grounds or in the interests of highway safety. The condition was, in the Inspector's words, "necessary to achieve good urban design and enhanced accessibility".

Good design and enhanced accessibility is a separate consideration to highway safety and capacity considerations. At Toutley East, the masterplan does provide a second access – a permanent pedestrian/cycle bridge across the brook and linking directly into the Matthewsgreen local centre to the south – which will provide the 'walkable neighbourhood', connectivity and permeability that the Inspector at the Winnersh appeal talks to in terms of good design. The emergency access at Toutley East was never intended to contribute to good design and enhanced permeability in the way the Inspector justifies the Grampian condition at Winnersh. The locked emergency access at Toutley would not allow visitors and residents to freely pass through and would not give a second route into or out of the estate – so is therefore of little benefit/contribution to the day to day lives of the residents.

Practicalities of including the Emergency Access in a site disposal

The outline planning permission did show the provision of an emergency access through the adjacent Toutley depot, joining up to the adopted highway at Old Forest Road.

As the emergency access from the site does not immediately join into the adopted highway it is likely that any developer will require a formal agreement(s) in respect of the continued availability and maintenance of the emergency access across the Council's retained land into perpetuity. Such agreements are likely to come in the form of a Right of Way and a covenant providing that the Council (and any successors in title to the land at Toutley Depot) will maintain the emergency access route into perpetuity and keep the same clear at all times.

Such arrangements would need to be specifically managed by the Depot operators and therefore have direct practical implications for the ongoing maintenance and operation of the Councils operational waste and highways depot which are both heavy duty, high traffic, uses.

The provision of an emergency access may also raise expectations of future residents regarding usage in that what the Council classes as an emergency, might not coincide with their anticipations.

In addition, the emergency access would punch through the required noise bund/barrier required along the western side of the residential development (to protect the dwellings from depot noise), thus potentially undermining the noise attenuating qualities of the bund/barriers and potentially adding additional design/construction cost for the residential developer. Such uncertainty and cost will likely be passed on to the Council through reduced offers for the residential land.

If the requirement for an emergency access is omitted:

- The Health and Safety implications of traversing vehicles (Emergency and/or others) through an operational depot can be avoided.
- The Council's capital costs of depot redevelopment could potentially be reduced.
- The development or disposal of the residential site will be more straightforward as it will maintain separation between residential and industrial uses.
- The granting of significant rights and obligations over the Council's retained land, into perpetuity, can be avoided.

Alternative Access in Case of Emergency – in lieu of the access across the depot

The development already includes a new pedestrian/cycle bridge to the south, linking directly into the Matthewsgreen local centre. This bridge is secured by condition and will be delivered prior to occupation. In the event of an incident affecting the main access, this route provides a viable alternative for emergency services and residents on foot or bicycle. Given that there is no formal policy requirement for a secondary vehicular access, this arrangement is considered sufficient for the purposes of the Emergency Access Plan.

Conclusion/Recommendation

As is evidenced above, the emergency access to the Toutley East site is not a requirement of current planning policy and is not justified on account of highway safety or capacity. In light of the LPA's position taken at the Winnersh appeal, and where the inclusion of the access will complicate the terms of disposal of the residential site and on-going management/operation of the depot, it is in the Council's interest and there is compelling rationale to omit the emergency access from the project. The Council therefore no longer intends to provide the emergency access through the Toutley Depot site. This reflects both the absence of a policy requirement and the significant operational, legal and financial complications associated with securing and maintaining such an access in perpetuity.