

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

Response/objection to application (on behalf of the Emmbrook Residents Association)

Firstly, we wish to start by acknowledging that this development site is one of the identified sites for development in the WBC Draft Local Plan. Our comments and any objections related to this application are therefore broadly made with that in mind, recognising that development on this site is in principle agreed by WBC.

We do however note, as recorded by the applicant in the Planning Statement (section 5.33), that WBC planning officers consider the Draft Local Plan to have only limited weight (due to ongoing considerations) and they have indicated that the application would not be assessed against the policies contained within the Draft Local Plan.

We recognise the applicant and planning officers have had several iterations of pre-application consultation, where the layout and quantity of housing within the site has been reviewed and subsequently amended, and it has been further amended following community engagement. As a result, we do not have substantive issues to raise on these aspects. We do however note there appears to have been no substantive review of the proposed access to the site, other than a request for a road safety audit (which we address in our concerns below).

Consequently, our comments are focused on the proposed access to the site and ensuring that any development on this site is delivered in a manner which is sustainable, compliant with relevant legislation/guidance currently in force and minimises impact on neighbouring residents and wider communities.

Our principal objection to this application relates to the decision to access the site from Old Forest Road (OFR), instead of Toutley Road (NWDR) which we consider would represent a fully compliant and the most sustainable option for accessing the site. Our objections to accessing the site from OFR are detailed in sections 1-3 below, and we urge planning officers to reject the application on this basis.

1) Initial comments to WBC on application compliance/completeness

We refer to our submission on 30 Jun 2025, where we raised several concerns regards completeness, compliance and accuracy of the documentation provided by the applicant. More specifically these include:

- (a) Failure to detail in the Design and Access Statement what pre-application consultation was undertaken by the applicant, and how their submission has taken account of that consultation (a requirement under the *WBC Local Validation List for Development Planning*)
- (b) Omissions and failure to fully comply with BS 5837 in the production of the *Tree Survey and Arboricultural Assessment*. Most notably, this includes the omission of a mature Ash tree from the assessment and a failure to carry out on-site inspection of trees identified for removal, including one which is protected by a Tree Preservation Order since 1990.
- (c) Failure of the road safety audit to consider all potential safety issues related to the proposed access road, and particularly the interface with the exit from East Toutley Hall.

Regarding item (a) - we have now located a reference to community engagement in the Planning Statement submitted with the application. However, the significant number of points we raised concerning the chosen access point to the site are only mentioned by a passing reference to “*Queries regarding why access is proposed from Old Forest Road / not proposed from Toutley Road*”. In no way have the concerns been highlighted or detailed, and no attempt has been made to explain how the development overcomes those concerns. In fact, the Planning Statement simply notes that “*the proposed access via Old Forest Road is the approach specified in the draft Local Plan Update*”. Firstly, it is not correct to say that the access is specified, but rather it is noted as preferred. Secondly, as already noted above and accepted by the applicant, the planning officers have advised that this application will not be assessed against policies contained in the Draft Local Plan.

Regarding items (b) & (c) - to date, these concerns have not to date been addressed by the applicant

We therefore contest that all those points raised in our initial comments remain valid objections to this application.

2) Why has access from OFR been chosen for this site? We consider access from NWDR clearly represents a more sustainable and compliant option.

Whilst the Local Plan refers to this site as being a part of “Land west of Old Forest Road (OFR), Winnersh”, it is the case that this land was in effect created and first included in the Local Plan as a direct consequence of the construction of NWDR and should more accurately be described as Land off NWDR.

The principal access provided for maintenance of this land, when the NWDR was built, was from the NWDR, and residents have confirmed, to the best of their memory, that the previous owner had never accessed this site along the proposed access route since at least the 1980s.

We note that the Local Plan expresses a preference for access off OFR but provides no reason for this and there is no evidence that any assessment was carried out by WBC regarding the suitability of this access route to support their preference.

We understand from our discussions with the applicant that WBC highways team considered the road speed limit was too high and the space for constructing a new junction was too limited. The NWDR at this point is a 40mph road. Many other 40mph roads in the area have similar access points, some with and some without right-turn filters. For example, WBC have just approved a 40mph limit on Longdon Road (another part of the NWDR) which has two similar junctions serving two similar residential areas, on a shorter section of road. Similar junctions are also provided on Hatch Farm Way, another 40mph section of the NWDR.

It is clear to us that a right turn filter could easily be accommodated on the NWDR for an access point, just as one is provided for the junction with OFR itself. It is also clear that there is significant distance between any other junction on the NWDR and the point at which access could be provided for this development. We do not therefore see any obvious justification for such a stance from the WBC highways team.

The NWDR was specifically constructed to take traffic, generated by new developments, away from existing residential areas. Access onto OFR clearly runs counter to this objective and would inevitably increase traffic movements through Emmbrook seeking to access routes towards Wokingham, when the most sustainable (and quickest) routes would be using the NWDR. This would result in significant detriment to existing residents, run counter to WBC policy to distribute traffic from new developments away from already congested existing residential villages, and lead to increased environmental impacts affecting existing residents noting emissions already routinely exceed World Health Organisation limits as evidenced by the monitor located outside The Emmbrook School.

We consider the preference, and most sustainable option, should clearly be for access from NWDR rather than from OFR. The NWDR was specifically designed to take traffic from new developments away from existing developments. It provides the most sustainable connectivity (for cars, bikes and pedestrians) to all routes to/from Wokingham, Reading, Twyford and Bracknell, and there are no apparent highways or other practical reasons for not providing access from the NWDR.

3) Access off OFR creates multiple issues, resulting in unnecessary compromises, non-compliances and detrimental impact to the environment and local residents.

In addition to the points raised in section (2), where we highlight that the proposed access route is an unsustainable option which would result in significant detriment to existing residents in Emmbrook through increased traffic, we highlight below a series of other significant issues associated with the proposed access.

Whilst we recognise that development can sometimes result in these effects, we consider that any developer is obliged to consider options to avoid or minimise such impacts. We have detailed above a clear option for accessing the site that avoids all the issues which arise with the access proposed in this application.

Below we provide further detail of our concerns:

a) Non-uniform road width

We note that the proposed road width for the access road is initially 5.5m and then reduces to 4.8m. We recognise that the applicant has presented traffic flow drawings, and considered these within their road safety audit, to demonstrate that it is feasible for traffic to pass each other on this access road. We do however consider this analysis is flawed for several reasons: (i) the assessment does not consider two larger vehicles passing each other. For example, delivery vehicles are typically 2.5m (with wing mirrors), which would not be able to pass each other, and certainly not larger delivery lorries and refuse trucks. (ii) It is also common knowledge that there is a predominance of SUV vehicles on the roads, which typically have widths (with wing mirrors) exceeding 2.2m, which would not be able to pass the largest vehicles. (iii) When vehicles enter the access road, they will be familiar with a standard 5.5m width, and not necessarily expecting an almost immediate narrowing. Noting the points above we consider the narrowing of the road to 4.8m is not fit for purpose, presents a significant risk of either passing collisions and/or vehicles driving on the margin on one side or the pavement on the other side, presenting unreasonable risks to pedestrians or damage to the margin.

The non-uniform and non-standard nature of the road width is a significant and unnecessary compromise for access to this development, and we consider represents practical and safety issues which have not been fully addressed by this application.

b) Impact on protected trees

To facilitate this access road, the application makes clear that at least two significant trees will need to be removed. We are aware that the applicant has included a *Tree Survey and Arboricultural Assessment* to support this decision, but as detailed in our initial comments (see section 1), we have serious concerns with the contents of this document regards a missing tree and failure to conduct compliant on-site assessment.

Notwithstanding these concerns, we consider the application requires the removal of at least 3 mature trees (an oak which has had a Tree Preservation Order since 1990, and the other two which had TPOs pending, and we understand may have already been approved).

We highlight that the applicant accepts within the Planning Statement (section 7.36) that even with their categorisation of trees (which as above we consider is flawed) that removal of two category B trees is contrary to the objectives of Core Strategy Policy CC03. They seek to explain there is an overall net benefit because of on-site planting, but we disagree and find no evidence provided to support this. They also seek to use the Draft Local Plan guidance to justify the removal of trees, based on the preferred access route comment, but as noted above we consider that planning officers have already determined such guidance is not relevant to consideration of this application.

We also highlight that the Ecological Assessment provided with the application (section 5.11) determines that removal of the two trees (T19 and T22) constitute a “*moderate-adverse*” impact. This level of impact is the 2nd highest level of impact, constituting “**Adverse Impact on ecological integrity or conservation status at District-County level.**”. Any reasonable interpretation of this finding is that removal of these trees represents a significant detriment, which as highlighted above is entirely avoidable with an alternative access point.

The application also requires non-standard construction (no-dig) to avoid damaging the roots of another oak tree with a TPO. This itself represents a significant compromise for the access route, elevating the road by at least 250mm, causing inevitable access and potential flooding issues for at least one neighbouring property and will ultimately still leave that protected oak tree vulnerable to long-term damage.

The removal of mature and protected trees is entirely unacceptable, as there is an alternative option for accessing the site. It is evident their removal is contrary to Core Policy Strategy CC03, constitutes significant ecological adverse impact, and we also consider likely constitutes a breach of the TPO already in place, and potentially to those pending. We further consider the consequence of no-dig requirements around another protected tree have not been fully considered regards impact to exiting residents and in any case represent an unnecessary compromise, where alternative option for access exists.

c) Impact to locally significant heritage asset Toutley Hall

The planning Statement (section 7.27) notes that *“Toutley Hall, located immediately adjacent to the site’s southern boundary, is identified by Wokingham Borough Council within its Local Validation List as a non-designated heritage asset.”*. We confirm that Toutley Hall is listed by WBC as one of **WBC’s Buildings of Traditional Local Character**.

WBC Development Plan - Managing Development Delivery (MDD) – Policy TB26 states *“Planning permission will only be granted for proposals to or affecting Buildings of Traditional Local Character and Areas of Special Character where they demonstrate that they retain and enhance the traditional, historical, local and special character of the building or area and its setting.”*.

The Planning Statement clarifies that the creation of an access route to the site is *“expected to visually alter the character of the immediate setting surrounding the non-designated heritage asset. Consequently, this alteration would lead to a minor degree of harm to its significance.”*. We contend that the impact to this locally important heritage asset, has been significantly understated by the applicant, and provision of the proposed access route constitutes a significant detriment to the character of the building and its setting.

It is evident that the provision of an access route from OFR is in direct contravention of MDD Policy TB26. The Policy dictates that approval will only be granted where developments retain and enhance the special character WBC Buildings of Traditional Local Character, whereas it is accepted by the applicant that the development causes harm to one of these buildings. No other form of enhancement has been presented as mitigation, and we therefore contend that this application represents a significant non-compliance with the MDD.

d) Access to cycle and pedestrian facilities

As detailed in the Planning Statement, MDD policy CC03 states *“Development proposals should demonstrate how they have considered and achieved...: b) Promote accessibility, linkages and permeability between and within existing green corridors including public rights of way such as footpaths, cycleways and bridleways c) Promote the integration of the scheme with any adjoining public open space or countryside”*. This is further emphasised in the Draft Local Plan (SS14.20) which includes the following guideline *“Opportunities to provide pedestrian connectivity to adjacent areas of green space at Old Forest Road Meadows SANG and to the shared pedestrian / cycle path along the North Wokingham Distributor Road”*.

The application does not provide direct access to the NWDR cycle and pedestrian facilities, or the OFR Meadows SANG. Instead, it simply notes *“There is the potential for pedestrian and cycle connections across and into adjoining land parcels, including to the north (over land controlled by WBC Highways) towards the SANG and Toutley Road. This will be discussed with WBC throughout their consideration of the application and, if necessary, secured by condition or s106 agreement.”*. In fact, the Sustainability Assessment provided with the Application shows the cycle and pedestrian connections being made via the proposed access road and OFR.

Neither the proposed access road nor OFR have cycling infrastructure. This is recognised by the applicant, as they advise in the Planning Statement (section 3.44) that NWDR has suitable infrastructure that doesn’t need improvement, whereas OFR needs improvements for walking and cycling and such improvements have been detailed in the Planning Statement (Table 3.7). Whilst certain improvements are proposed to pedestrian facilities, contrary to their assertions no improvements are proposed to cycling infrastructure. This is not surprising as OFR does not have sufficient space for the provision of cycling infrastructure.

We therefore contend that the application does not comply with the MDD policy requirement CC03 as it does not 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. By only providing connectivity via the proposed access road and OFR presents unnecessary inconvenience, and safety risks to cyclists in particular, whereas an access road from Toutley Road would provide convenient and fully compliant access for cyclists and pedestrians.

e) Elevation differential between properties either side of the access road

The application does not contain any details about consideration of the significant elevation differential between the properties on the west and the east sides of the proposed access route. As the applicant has not detailed how this would be addressed, the impact is unclear, but we expect this differential is likely to result in significant issues accessing the properties on the east side of the road, which is further exacerbated by the requirement for no-dig elevation at the north end of the road. The elevated road and pavement on the east side of the access road is also likely to present both flooding and privacy issues for properties on that side of the road.

We consider the differential elevation between properties on either side of the road could result in significant access, flooding and privacy issues. These are factors which have not been properly considered in the application and clearly have the potential to make the access road unviable.

f) Impact to vehicles exiting East Toutley Hall

As detailed in our initial comments (see section 1), we consider 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.

We consider the proximity of East Toutley Hall entrance to OFR, and the lack of visibility for all vehicles constitutes a significant road safety hazard, which has not been fully considered by the road safety audit or addressed in the application.

g) Noise impact during and after construction

A noise assessment has been provided with the application which models noise impact during construction period and after construction period. We have several concerns about the approach adopted and/or omissions in the assessment, as follows:

- **Method for calculating the significance threshold** – the assessment has established the threshold significance level for the noise receptors of 75db, using the fixed method based on proximity to the motorway and the NWDR. S5228 states “*Significance based on fixed noise limits. Noise levels should not exceed 70 dB(A) in rural, suburban and urban areas away from main road traffic and industrial noise, or 75 dB(A) in urban areas near main roads in heavy industrial areas*”. In using this method, we consider the criteria used to select 75db rather than 70db is not reflective of the nature of the setting for these properties. They are neither in an urban setting nor in an industrial setting.

Notwithstanding our position on the criteria used in the fixed method, we strongly assert that this is the wrong method to be used, especially during the construction period. This method is more appropriate to the longer-term post-construction period. BS5228 also provides two other methods of assessment, based on noise change against the ambient noise level, which is far more appropriate to the construction phase. Both of these result in a significance threshold of 65db.

We assert that the incorrect method has been used for assessing the significance threshold, and the level should be set at 65db rather than 75 db.

- **Impact to existing residents during construction of the access road** – the assessment establishes that noise levels (without mitigation) at the noise receptors in properties adjacent to the access road are between 80 and 86db. The assessment then determines that these reduce to between 71 and 76db. It established that the mitigation employed equates to adopting Best Practical Means during construction. Firstly, we question what approach was adopted when assessing the impact without mitigation; was that really based on “Worst Practical Means”? The report is not clear which specific mitigations have been employed. We would expect mitigation measures to be specific measures beyond those which would be expected to be employed in accordance with good industry practice (e.g. physical barriers). We see no evidence that such measures are proposed to be adopted during

construction of the access road. Secondly, we note that even with the purported mitigation, the levels are significantly above the 65db level we consider should be the significance threshold.

We assert that the post-mitigation levels determined in the assessment are dubious at best, and in any case are well above the significance threshold level we consider should apply. We assert that levels at 75db will be intolerable for residents over any extended period, could result in fatigue, annoyance and potentially hearing damage, and will therefore result in residents being excluded from their gardens for an extended period. We therefore consider this represents another significant reason for not providing the access route from OFR.

- **Impact to existing residents from construction traffic using the access road** – Although the assessment includes the noise levels at the existing residents' noise receptors from activity on the main development site during construction, we see no evidence that the assessment considers the impact from construction traffic using the access road. It has already been established that residents are most acutely affected by activity on the access road, and we therefore consider that assessing the impact of construction traffic using the access road is essential.

We assert that a failure of the noise assessment to consider impact of construction traffic using the access road is a significant omission from the noise assessment.

- **Impact to existing residents from traffic using the access road after construction** – The assessment report appears to assess the impact to existing residents from the additional traffic generated by the development using the wider road network, which we infer to be Old Forest Road and NWDR. We do not see any evidence that the report has considered the impact to existing residents specifically from traffic on the access road. As already established the existing residents are most acutely affected by activity on the access road, and we therefore consider that assessing the long-term impact of traffic using the access road is essential.

We assert that a failure of the noise assessment to consider the long-term impact of traffic using the access road is a significant omission from the noise assessment.

h) Light pollution to properties adjacent to the access road

It is noted that application proposes street lighting to be located on the access road adjacent to White House. The application does not appear to provide any detail concerning the level of light pollution affecting this property.

We consider, without any evidence to the contrary, that the positioning of street lighting adjacent to the existing properties will result in significant detriment to them.