

PLANNING REF : 252604
PROPERTY ADDRESS : 152 Woodwarde Road
: Dulwich, London
: SE22 8UR
SUBMITTED BY : Mr Ralph Ellison
DATE SUBMITTED : 26/11/2025

COMMENTS:

FAO: Development Management - Case Officer Wokingham Borough Council

Regarding: Objection to Planning Application 252604 - Proposed Development at [Penguin, Wargrave Road, Henley-On-Thames RG9 3JD]

Dear Sir/Madam,

I am writing on behalf of my family as the long-standing family owners (26 years) of the adjoining property "The Moorings" immediately to the north-west of the property in question "Penguin". We are writing to strongly object to this planning application.

Our objections are twofold: (A) substantive planning concerns regarding the proposed development (in particular the proposed "store" indicated as added under Permitted Development), and (B) serious issues with inaccuracies/misleading information in the submitted plans. I outline each of these in detail below, with reference to relevant planning policies and guidelines for clarity and impact.

Please note:

- We have given sources cited using " ^1 " notation where " ^1 " refers to source number 1. and so on. The list of sources is below my main message.

- We have provided access to several images of the site as references in my complaint:
<https://drive.google.com/drive/folders/14iK2WTDhEOROLTy8rDw0SYj0oUE9uy p4?usp=sharing> (Please paste entirety of link in search bar for images to load)

A. Grounds for Opposing the Proposed Development

1. Harm to Neighbouring Amenity (Overbearing and Overshadowing):
The proposed store/outbuilding, labeled "store added under PD" on the plans "(Revised) Proposed Site Plan" submitted alongside this application, sits immediately adjacent to the boundary (on the south-east side) of my property. By virtue of its proximity and size, this structure would have an overbearing impact, creating a sense of enclosure or "hemming in" of my property^2. A 2.5m-high structure so near the boundary will dominate the outlook from our side, significantly degrading my family's visual amenity. While loss of a view is not a planning matter, an unacceptably closed-in outlook and feeling of enclosure are valid concerns^2. Please see in particular the photograph "IMG_Container_Side_Profile.HEIC" on the attached link. This shows a shipping container which has recently been placed on the site (with implications discussed below). This is 2.59m high (from the road level, which is the ground level I assume the submitters are claiming as their reference point), which whilst 0.09m higher than the proposed store, demonstrates how overbearing this store would be, even if a new building was 0.09m lower. You can see

how high this towers above the height of the wall. The proposed development would also cause shading/loss of light to parts of my family's property. This can also be clearly seen in "IMG_Container_Side_Profile.HEIC". Given the orientation (our property being north-west of the site), a tall structure on the south-eastern boundary will block sunlight, especially during morning and midday hours, thus reducing natural light to our garden and windows. Wokingham's design guidance advises that extensions or outbuildings should "not dominate or unreasonably overshadow adjoining buildings or garden areas or result in undue loss of privacy."¹ In my view, this proposal violates that principle. It would be overbearing in scale and unreasonably overshadowing, contrary to good planning practice and my right to reasonable enjoyment of our property.

2. Doubtful Compliance with Permitted Development (PD) Rules:

The applicant labels the store as "added under PD" with a height "no more than 2.5m as measured from the highest ground level". We urge the Council to scrutinise this claim closely. Under UK Permitted Development rights (Class E for outbuildings), any outbuilding within 2 metres of a boundary is limited to 2.5m in height⁴. The plan's notation about measuring from the "highest ground level" raises

concern that ground levels may have been artificially built up to technically meet the letter of the PD height limit. In fact, as we detail below, the ground has not been legitimately raised - the structure sits on a pile of rubble. If the true height from natural ground exceeds 2.5m, the outbuilding does not qualify as permitted development. In that case, it would require full planning permission in its own right, and its impacts (as outlined above) should be judged on their merits. It would be wholly unfair for the applicant to circumvent scrutiny by misusing PD allowances. We respectfully request the Council to verify the actual ground level and height of this "store." If it fails PD criteria, it must be included as part of this application's assessment (or enforcement action) rather than allowed by default. Further to this, assuming that the "highest ground level" used by the applicant is the level of the adjoining road, we would like it please noted that the vast majority of our garden that will be adjoining this development (of shed/store) is at a level significantly (1 metre) below the road level, meaning that the effective height is much higher than 2.5m. Please see

"IMG_Container_Current_River_Profile.HEIC" where the level of our garden is shown clearly with the current shipping container that is in situ. Either way, the structure's impact is harmful - permitted development status (even if it were truly applicable) does not negate the very real planning harm it causes to the neighbour (myself and my family). The Council's own guidance on material considerations lists "overbearing impact" and "design/appearance" as valid grounds to consider in any application⁶, and those certainly apply here. There is no fall-back entitlement to build something that ruins the neighbour's amenity; planning policies exist to prevent exactly that kind of harm⁵.

In summary, the proposed development (particularly the large store outbuilding) would cause an unacceptable loss of amenity for my family as a neighbour. We urge the Council to refuse the application on the basis of the above points. The harm in terms of

overshadowing, overbearing presence. No amount of personal benefit to the applicant can outweigh the planning harm to the surrounding properties (and we note that the applicant's personal reasons or intentions are not material considerations in any event²). The public interest lies in preventing inappropriate development, and we believe this proposal squarely falls into that category.

B. Inaccuracies and Misleading Information in the Application (Formal representation in submitted plans)

In addition to the substantive objections above, we wish to formally put on record that the application documents contain inaccurate and misleading statements about the existing site and conditions. This is a matter of serious concern. Planning decisions should be based on a correct understanding of the facts on the ground. Any misrepresentation - especially if deliberate - undermines the integrity of the planning process. We highlight the following specific discrepancies in the plans and statements submitted by the applicant:

1. Erroneous Claim of an "Existing Shed/Store": The plans "(Revised) Existing Site Plan" indicate a structure to the north west of the plan and adjoining our property described or implied as an "existing shed/store." In reality, no permanent shed or outbuilding has ever existed in that position in the last 26 years. In fact, it was previously an area of green vegetation - see image in above folder "Mooring's_Penguin_Front_Profile_2024.jpg". What the applicant has on site presently is a shipping container, which was placed there only recently and is a non-permanent structure. A shipping container cannot be considered a customary shed/store that has long formed part of the property's established layout - it is a makeshift storage unit. By implying it is an "existing shed/store," the plans give the false impression that a lawful, pre-existing outbuilding of similar bulk was in situ. This is factually incorrect and misleading. It appears the applicant may be trying to suggest that their new store is merely replacing or upgrading an old shed, to downplay its impact. We wish to stress to the Council that prior to the recent appearance of the container, there was no such shed on that part of the site. Photographic evidence in the attached link above confirms this. In particular please see "Mooring's_Penguin_Front_Profile_2024.jpg" and "IMG_Container_Current_River_Profile.HEIC". The container itself has no planning permission that we are aware of, and its presence is, at best, temporary. It should not be treated as an "existing" permanent feature. Any references or implications to an existing shed/store should be disregarded as false. The true baseline condition is an open area (formerly green vegetation with wildlife and bats) now occupied informally by a metal container and the true ground level covered in rubble. This distinction matters, because the visual and physical impact of the proposed permanent store must be assessed as a new structure where currently there is nothing (a temporary container that could be removed cannot be used to justify a permanent development).

2. Misrepresentation of Ground Levels (False "Raised" Grass Level): The application drawings also depict the ground level below and to the south west of the "shed/store" and "Garage" as

being raised (with a grass bank). This is misleading. There is no raised ground level or grass bank in that area. In reality, the shipping container is propped up on a pile of rubble, which sits just above river level by the concrete path (along the side of the river). The wooden garages also sit on brick structures rather than a raised grass bank. There is no true rise in the lawful ground level; rather, debris has been mounded to support the container. Furthermore, the plans' notation about measuring height from "highest ground level" suggests an attempt to use this rubble pile as a new ground datum. This is not an accurate portrayal of the site - it is essentially an artificial contrivance. By indicating a higher ground level than the natural grade, the applicant may seek to claim the store's height is within 2.5m (to fit PD limits). This is disingenuous. Ground levels cannot be arbitrarily raised in drawings to evade height restrictions. As the container sits on a pile of rubble, the true height from original ground is greater. The Council should note that presenting incorrect ground levels on plans is a serious matter - it distorts the assessment of building height, and thus the assessment of compliance and impact. We respectfully request the planning officers to conduct a site visit or require corrected drawings to reflect actual levels. An accurate drawing would likely show that the proposed "store" (or container) exceeds 2.5m from natural ground, meaning it is not permitted development. At the very least, the inconsistency between the drawn "raised grass level" and the reality of ground beneath the rubble should cast doubt on the reliability of the applicant's submission. Please see evidence to support all of these statements in the folder of photos attached above. In particular please see "IMG_Container_Current_River_Profile.HEIC"

These misrepresentations are not minor errors; they go to the heart of how the proposal is presented. By falsely portraying a shed where there is none and altering ground level depictions, the applicant may be attempting to make the development seem more innocuous or lawful than it truly is. My family and I would be grateful if the Council could treat this matter with utmost seriousness.

The planning system relies on trust that applicants provide truthful information. Indeed, the Ministry of Housing, Communities & Local Government has emphasised that applicants must confirm their information is truthful and accurate, and that knowingly providing false or misleading information in a planning application can even be prosecuted under the Fraud Act 2006⁷. We are not in a position to determine intent, but the effect of the submitted misinformation is clear it it would mislead the decision-maker and public consultees about the development's context. I ask that the Council please investigate these discrepancies and, if necessary, require the applicant to correct them. At a minimum, no decision should rely on the incorrect facts as currently presented. We understand that the planning process must be based on reality, not a distorted version of it.

Finally, we note that the public consultation on this application is currently open. We are submitting this objection via the official Wokingham Borough Council planning portal, which is the standard and

recommended method for public comments (For completeness, a copy of these comments can also be sent in writing to the Planning Department, though the online submission alone will ensure it is logged and considered.) We appreciate the opportunity to voice my concerns.

In conclusion, we respectfully maintain that this application, by virtue of its adverse impacts and questionable accuracy, should be refused. The proposed outbuilding ("store/shed") is harmful to mine and my family's amenity, and the application's misleading details only compound the reasons for refusal. We hope that the Council will give due weight to these objections, uphold the relevant planning policies, and protect neighbours from a development that is both inappropriate and unfair.

Thank you for your attention to this objection. We are happy to supply further photographs or any further information to assist your assessment.

Yours faithfully,

Ralph Ellison and Family
The Moorings
Wargrave Road
Henley-On-Thames
RG9 3JD

Sources Cited:

1. Wokingham Borough Council - Guidelines for Residential Extensions (advice on not overshadowing neighbours) abcplans.co.uk.
2. HomeOwners Alliance - Valid reasons for planning objections (overbearing impact, loss of light, out-of-character design are material concerns) hoa.org.uk.
3. Excerpt from submitted site plan for Application 252604 (showing "STORE ADDED UNDER PD height no more than 2.5m as measured from highest Ground Level").
4. Government Permitted Development Technical Guidance (outbuildings within 2m of boundary limited to 2.5m height) assets.publishing.service.gov.uk.
5. Wokingham Core Strategy Policy CP3 - General Principles (development must not harm adjoining amenity) wokingham.gov.uk
6. Wokingham Borough Council website - Comment on a planning application (material considerations include overbearing impact, design, etc.) wokingham.gov.uk.
7. UK Parliament Written Answer (2018) - confirming it is an offence to knowingly submit false or misleading information in a planning application