

**PHILIP NAVIER**

39 The Meadway  
Shoreham by Sea  
West Sussex  
BN43 5RN

**ADUR & WORTHING COUNCILS  
DEVELOPMENT MANAGEMENT  
ECONOMY DIRECTORATE  
PORTLAND HOUSE  
44 RICHMOND ROAD  
WORTHING  
WEST SUSSEX BN11 1HS**

Adur &  
Worthing  
Councils

10 FEB 2025

Business Support

Your reference      AWDM/0002/25

HANNAH BARKER

5 February 2025

ALTERATION AND EXTENSION TO EXISTING ROOMS IN ROOF CONSISTING OF REMOVAL OF FIRST FLOOR ROOF AND WALLS AND CONSTRUCTION OF NEW TIMBER CLAD WALLS AND FLAT ROOF

Dear Sir / Madam

I am very sensitive to any developments to the rear of my property. Further to my letter of 4 February 2025 I have been able to retrieve my letter of 18 January 2011 and the Sun Path Report provided in support of the development of 43 Old Fort Road. The proposed development was not proceeded with but the shadowing information is an admission that there are light issues and this throws up legal considerations. As a statutory body I expect the Council to uphold the rule of law and my right to light.

I was not resident at 39 The Meadway when 45 Old Fort Road was constructed. If I had been resident I would have objected to the plan as it does not accord with the normal rules regarding the space between the rear of 39 The Meadway and the rear of 45 Old Fort Road. I will object any development that reduces the gap between the properties. I will object to any development that reduces the light level at 39 The Meadway.

Without detailed plans showing elevations and the likely shadowing caused by a larger building mass I must object to the way this matter is being progressed.

I have been through this process with the Council in 2011. There Council is on notice that I am likely to refer matters to the Local Government Ombudsman if there is any inappropriate waiving of the DC Standard.

I have flagged up my Right to Light.

Yours faithfully



Philip Navier

PHILIP NAVIER, 39 THE MEADWAY,  
SHOREHAM BY SEA, WEST SUSSEX. BN43 5RN

18 January, 2011

James Appleton  
Executive Head of Planning, Community and Wellbeing  
Development Management  
Adur District Council  
Civic Centre  
Ham Road  
SHOREHAM BY SEA  
West Sussex  
BN43 6PR

YOUR REF: ADC/0356/10

For the attention of Peter Barnett

Dear Sir:

DEMOLITION OF CHALET BUNGALOW AND ERECTION OF SEMI DETACHED  
PAIR OF PART TWO/PART THREE STOREY THREE-BEDROOM HOUSES 9 WITH  
GREEN ROOF TERRACES AND FRONT BALCONIES) (REDUCTION IN SIZE)

43 OLD FORT ROAD, SHOREHAM BY SEA, WEST SUSSEX BN43 5RL

*Sun Path Report*

The sun path report [attached marked exhibit 1] says: -

*"From the computer sun path analysis report it is clear to see that with the new amendments in place the building has no bearing impact with the amount of light the neighbouring properties receive over the seasonal year. Given the orientation of the buildings are South facing this allows maximum light penetration to the rear and sides as well as uninterrupted light from the North during the Winter months."*

My first observation is that the only buildings that appear to have been considered are the properties that front on to Old Fort Road. The properties on Old Fort Road are south facing so it is illogical to say that this allows maximum light penetration to the rear. The buildings on Old Fort Road are South facing and in the Northern Hemisphere with the sun in the Southern Hemisphere it is impossible for there to be uninterrupted light from the North during the Winter months.

At present I have uninterrupted light from the South into my lounge during the Winter months and the proposed development will impact on the amount of light I receive.

Looking at the Sun Path Diagrams, [attached marked exhibit 2] that detail the position at 12:15 pm November View A shows the shadow that the development will throw on the properties to the rear. It also demonstrates the properties in Old Fort Road and The Meadway will have interrupted light during the Winter months. If you take a ruler and measure the fence, approximately 5mm in scale, and then the shadow from the fence this is approximately 15mm. The shadow is approximately 3 times the size of the object blocking the sunlight. The diagram also shows that the shadow goes well beyond the boundary fence. Even if it argued that the boundary fence is in the wrong position the shadow from these "block" houses will extend 3 times the height of the buildings and directly affect my property.

Looking at the Sun Path Diagrams, [attached marked exhibit 3] that detail the position at 12:15 pm 01 January View A shows the shadow that the development will throw on the properties to the rear. It also demonstrates the properties in Old Fort Road and The Meadway will have interrupted light during the Winter months. If you take a ruler and measure the fence, approximately 5mm in scale, and then the shadow from the fence this is approximately 15mm. The shadow is approximately 3 times the size of the object blocking the sunlight. The diagram also shows that the shadow goes well beyond the boundary fence.

#### *Issues with building height/design*

There is an admission that there are light issues and this throws up legal considerations. The amended Design Statement [attached marked exhibit 4] can be used to demonstrate that the effect of this construction will totally block out light to the rear of my property in the Winter months. The proposed construction is effectively side boundary to side boundary leaving no gap from this site allowing sun light to the rear.

The proposed development backs onto my property. The rear of my property is set back further than numbers 37 and 41 The Meadway. The effect on my property has to be considered. As a statutory body I expect Adur District Council to uphold the rule of law and my historic right to light - see my earlier letter objecting to this development.

To argue that a building can be compared to a neighbouring property of a different construction is interesting but is entirely flawed. The property used for comparison does not back onto my property. The development is a "block" and will have an entirely different shadow profile. The block construction put forward will totally block out my light in the Winter.

#### *Issues with design*

A man in the street if shown these designs would reasonably conclude that this is a speculative property venture which neither properly considers the effect on neighbouring properties. It will impact on the open spacious nature of Shoreham Beach. A key character of the area is low level housing with an abundance of bungalows and chalet style dwellings.

January 18, 2011

Local Plan Policy AH1 relates to new residential development. This proposed development does not respect the appearance, character and scale of adjoining properties let alone the wider environment of Shoreham Beach. This proposed development looks like a block that has been divided into 2 and extends to the boundaries of properties on either side at first level to the detriment of adjoining properties. The height of the development does not respect the property to the rear. This is clearly overdevelopment.

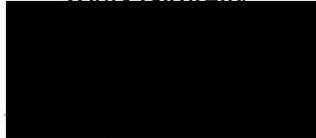
The plot is not wide enough to be divided into 2 whilst respecting neighbouring properties.

The "block" will impact on properties that adjoin the plot with specific harm of overshadowing, being overbearing and result in loss of privacy.

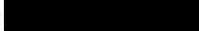
No consideration has been given to plant life for those who have ground based gardens. A garden in the sky is interesting. It makes the point that the rear of the property will be cold and overshadowed. The property will blight those who still respect earth based plant life. As the population ages, I am shortly to retire, the needs of people to have proper use of ground based gardens must be an environmental consideration.

In line with having a sympathetic approach to environmental issues I had been considering having solar voltaic cells on my roof, I can provide the estimate, but when I got notice of this proposed development and the likely shadow effect I put the matter on hold.

Yours faithfully



Philip Navier

PHONE: 

E-MAIL: 