



Darren Higginson

Partner

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Darren Higginson has over 20 years experience in resolving personal disputes. He specialises in disputes concerning property, including complex right of way and private drainage cases, boundary issues, adverse possession ('squatters rights'), breach, variation and removal of covenants, nuisance and trespass, leasehold disputes (including service charges), and professional negligence claims against other solicitors, surveyors and architects.

He also has significant expertise in disputes concerning the co-ownership of property and land following the breakdown of a relationship and frequently acts for clients who have been victims of domestic abuse.

Expertise

Disputes

Darren usually acts for individuals, and he quickly builds a rapport with clients and provides straightforward and honest advice in a way which is easy to understand. He is highly regarded for his ability to swiftly analyse the issues and get to the heart of the problem. His calm and measured approach puts his clients at ease. His correspondence is clear and concise, and he is experienced in all aspects of dispute resolution from negotiations, to mediation and, as a last resort, litigation.

Notable Disputes cases

Access to Neighbouring Land

Achieved a settlement at mediation in an acrimonious dispute which allowed the client to undertake urgent repairs to his property.

Co-ownership

Obtained a favourable outcome for the client at trial in a dispute regarding the sale and the division of proceeds of sale of a rural residential property which had planning consent for the development of various barns.

Falmouth

Gwella House, 6B Falmouth Business Park, Bickland Water Road, Falmouth, Cornwall, TR11 4SZ
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Truro

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Holsworthy

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Adverse Possession

Secured ownership and registration of a property occupied by a client as their home since 1995. This was particularly challenging as the property was in a nature reserve and site of special scientific interest.

Removal of Covenants

Negotiated a substantial settlement on behalf of clients who agreed to the removal of covenants preventing the development of adjacent land.

Lease Dispute

Acted for a client whose property was damaged due to ingress of water following the landlord's failure to maintain a block of flats and as a result of defective remedial works to the exterior. The landlord agreed to pay for the works to be re-done and for internal works to the flat, so that it could be sold.

Trespass

Secured the reinstatement of a substantial Cornish hedge which was removed from a client's land by a neighbour who wanted to create a wider access for the benefit of an annex to his already substantial property. Discussions took place regarding the payment of compensation, but the final agreement required the neighbour to pay for the hedge to be reinstated, even though the client could not prove that the hedge was theirs.

Nuisance

Obtained an injunction to prevent the rebuilding of a property demolished in breach of planning consent. Our client owned a listed terraced cottage. The property next door was completely removed by an unscrupulous developer and damage was caused to the client's property, which was also left exposed to the elements. Further damage was likely to be caused when the property was reinstated, and the court awarded substantial compensation to the client and imposed specific terms for the reinstatement of the property.

Drainage

Advised a client in relation to a dispute with a neighbour regarding a shared private drainage system which had failed. The client intended to install a new system serving their property only, but the neighbour wanted to continue to use the old system, which may have been unlawful. Negotiations took place to secure the installation of two separate systems and the release of the client from their obligation to maintain and repair the old one.

Misrepresentation on Sale

Successfully opposed a claim by a purchaser of property for damages due to alleged non-disclosure of a defective private drainage system.

Construction

Achieved a favourable settlement for a client after the defective installation of windows and doors at her coastal property.

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Qualifications & Accreditations

- Solicitor (2001)

Memberships

- Property Litigation Association

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