For the attention of Daniel Holmes, Case Officer
Horsham District Council

Re: Application DC/26/1531 – Highlands House, Dorking Road, Warnham

Dear Mr Holmes,

We are writing in response to the objections submitted by neighbouring residents concerning our application for a Lawful Development Certificate relating to an existing outbuilding at Highlands House.

Having read these representations, we feel compelled to respond to a number of allegations which we consider to be inaccurate, exaggerated and, in some instances, entirely unfounded.

While we fully respect our neighbours' right to raise legitimate concerns, we are extremely disappointed by the misleading picture that has been presented of our property, our family and the activities taking place at our home, especially since many of the points raised are completely irrelevant to this application.

In particular, we strongly object to the repeated suggestions that we are operating a continuous construction site, causing excessive noise and light pollution, undertaking works throughout the day and night, or deliberately concealing building activity.

These allegations do not reflect the reality of how we live or use our property, and we feel it is important to put the record straight.

**Our family and improvements to our home**

Highlands House is home to six members of our family, including our two children and my parents, whom I also help to care for.

We both run our own businesses full time, alongside raising our children and supporting my parents. We are extremely hardworking and have dedicated a considerable amount of our limited spare time to improving our home and garden to better accommodate our family's needs.

The improvements we undertake are carried out by us personally, around our work and family commitments. We do not have teams of builders working at our property, nor are we undertaking construction work continuously throughout the day and night, as has been suggested.

We take enormous pride in our home and have invested a great deal of time, effort and hard work into improving it ourselves. Like many families, we are working within a budget and simply do not have the financial means to complete every project at once. As a result, improvements are carried out gradually, as and when we have both the time and money available. Our home and garden are very much a work in progress.

We find it deeply disappointing that the time and effort we are putting into our property, within the limits of what we can realistically afford, have been presented in such a negative light.

However, importantly we feel that many of the points raised in these objections are unrelated to the outbuilding covered by this application, and their inclusion presents a misleading picture of the outbuilding itself.

**Use of the outbuilding**

The outbuilding is used primarily for domestic storage and as a space for my husband's personal hobby of working on his own vehicles. It is not used as separate residential accommodation.

We are therefore concerned by the assumptions made in several objections about the building's intended use, apparently based on its appearance rather than any actual knowledge of the activities taking place inside.

Importantly, Horsham District Council has already undertaken a site inspection of the outbuilding. The Council has therefore had the opportunity to see the building and its current condition firsthand, rather than relying on speculation from neighbours.

We also note the references to the decking / veranda, which has already been discussed with the Council. As advised, the decking has been removed to comply with permitted development requirements, and we have included photographic evidence confirming this.

**Regarding the substantial completion of the building**

One objection refers to Section 171B of the Town and Country Planning Act 1990 and the 4 year and 10 year enforcement rules. However these enforcement time limits do not form the basis of our application. We are not seeking a Lawful Development Certificate on the basis that the building has existed for a sufficient period to become immune from enforcement action. Our application is based on the building's compliance with Class E permitted development requirements, as advised by Horsham District Council following its investigation and site visit.

The building does not need to have existed for four or ten years to qualify as permitted development. The Council's assessment should therefore focus on whether the building satisfies the applicable Class E requirements, rather than its age or the enforcement time limits referenced in the objection.

**Allegations of excessive noise and continuous construction**

We strongly dispute the repeated claims of excessive machinery noise and construction activity continuing throughout the day and into the night. This is the first we have heard of such allegations and they are simply not true.

As explained above, we both work full time, run our own businesses, raise our children and help care for my elderly parents. Any maintenance or improvements to our property are undertaken in the spare time we have available. We are certainly not operating machinery or carrying out construction work continuously throughout the day and night.

Naturally, maintaining and improving a property of this size occasionally involves the use of tools or machinery. However, the suggestion that this amounts to persistent, high-level construction activity is a gross exaggeration.

We note that one neighbour has submitted a recording of machinery being used on a Sunday evening. An isolated recording of machinery does not establish that excessive noise is a regular occurrence, nor does it substantiate the much broader allegations of continuous activity.

We also find it deeply concerning that this neighbour appears to be filming activities taking place on our private property. As a family with young children, we find the possibility of being repeatedly recorded in our own garden particularly disturbing and an unacceptable intrusion into our privacy. While we appreciate our neighbours' right to raise concerns, we do not believe this should extend to monitoring and recording our family's private activities.

We are mindful that we have neighbours and have no desire to cause unnecessary disturbance. However, we also believe we are entitled to undertake reasonable maintenance and improvements to our own home without having those activities misrepresented.

We also regularly hear noise from surrounding properties, including those of the neighbours who have submitted objections. We recognise that this is part of everyday life and have never taken issue with it. However, we are concerned that noise originating from neighbouring properties may be incorrectly attributed to us, and we feel it is unfair to hold us responsible without clear evidence of its source.

**Nearby Biffa waste management facility**

We also feel it is important to draw the Council's attention to the Biffa waste management facility situated beyond the fields at the rear of our garden. This is an operational waste management site where machinery, vehicle movements and artificial lighting are present.

We strongly suspect that at least some of the ongoing noise and lighting described by neighbouring residents may be originating from this facility rather than our property. The descriptions of persistent machinery noise and activity continuing for prolonged periods are entirely inconsistent with the occasional domestic work undertaken at our home.

Given the proximity of the Biffa facility, we believe it is entirely reasonable to question whether the source of these disturbances has been correctly identified. We would respectfully ask that the Council takes the surrounding land uses into consideration when assessing these claims.

**Artificial lighting and alleged environmental impact**

We are equally surprised and frustrated by the descriptions of extensive artificial lighting, high-intensity floodlighting and significant light pollution allegedly originating from our property.

The reality is that the outbuilding has a single external PIR motion-activated security light, directed towards the rear of our own garden. This light is fitted with a 100-watt bulb, activates only when movement is detected and automatically switches off after approximately 30 seconds.

It is not a continuously operating floodlighting system, and the suggestion that we are extensively illuminating the surrounding countryside throughout the evening and night is completely inaccurate. As mentioned above, the nearby Biffa waste management facility also has external lighting, which may account for some of the illumination described by neighbours.

We also note the concerns raised about the potential impact of our activities on local wildlife. However, we find it unreasonable that such significant environmental concerns have been raised on the basis of descriptions of lighting and continuous disturbance which do not accurately reflect the activities taking place at our property.

We would ask that these allegations are considered in the context of the actual lighting arrangements in place, rather than assumptions about extensive or prolonged illumination.

**Other works and allegations of concealment**

Several of the representations refer to improvements elsewhere within our property, including landscaping and changes to vegetation which are completely unrelated to the current application.

We recognise that neighbours may have observations about changes to the property over time. However, we feel that the inclusion of numerous unrelated matters risks creating a misleading impression about the nature and extent of the development currently under consideration.

We are particularly disappointed by suggestions that we may have deliberately concealed building works or attempted to avoid scrutiny.

We find these insinuations both unfair and offensive.

Our property benefits from natural screening and established vegetation, as is common in rural residential settings. The fact that parts of our garden are not visible from neighbouring properties does not mean that we are deliberately hiding activities or attempting to circumvent planning requirements.

Nor do we believe that undertaking improvements to our own home without discussing every individual project with neighbouring residents should be interpreted as evidence of wrongdoing.

We have submitted our application through the appropriate process, and the Council has already visited and inspected the outbuilding.

We have cooperated with the Council and have not attempted to conceal the nature of the building or its use.

We strongly object to assumptions being made about our intentions or honesty, with absolutely no evidence to support them.

**Relevance to the current application**

Finally, we would like to emphasise that this application concerns a Lawful Development Certificate relating to the existing outbuilding and its use as a store/workshop.

We understand that the Council must determine whether the development and use described in our application are lawful under the relevant planning legislation.

While neighbours are entitled to provide information and raise concerns, we would respectfully ask that the application is assessed on the relevant facts and evidence, rather than speculation, personal assumptions or objections concerning unrelated activities elsewhere on our property.

**Conclusion**

We are extremely disappointed by the allegations made against us and the inaccurate picture they present of our home and family life.

We are decent, hardworking people who dedicate an enormous amount of time and effort to our family, our businesses and improving our property ourselves.

We fully respect our neighbours' right to raise genuine concerns. However, we do not believe it is reasonable for assumptions and exaggerated allegations about our activities to be presented as factual accounts of what takes place at our home.

We would also like to reiterate that this application is for a Lawful Development Certificate, rather than planning permission. Following an investigation and site visit, Horsham District Council confirmed in writing that the building falls within the residential garden curtilage of our property and advised us to apply for a Lawful Development Certificate under Class E permitted development rights, subject to the removal of the raised decking.

We have followed the Council's instructions, and the decking has now been removed, with photographic evidence included. The submitted architectural drawings demonstrate the building's dimensions, height and position within the garden, and the building is currently used for domestic storage and personal hobbies.

We believe the building satisfies the applicable Class E permitted development requirements and that the evidence submitted supports the granting of a Lawful Development Certificate.

While we appreciate that neighbours are entitled to express their views, we would respectfully point out that this application concerns the lawfulness of the building under planning legislation, rather than personal opinions regarding its current appearance, or us as their neighbours.

We hope the information provided addresses the concerns raised and demonstrates that we have acted in accordance with the Council's guidance throughout this process. We respectfully ask that our application be assessed on the relevant permitted development requirements and the supporting evidence submitted.

We remain happy to provide any further information or clarification required.

Thank you for your time and consideration.

Kind regards,

Hayley and Adam Cunningham
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Dorking Road
Warnham
West Sussex