

[REDACTED]

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**From:** Paul O'Neill [REDACTED]  
**Sent:** 27 January 2016 11:11  
**To:** Muthoora, Leela  
**Subject:** [REDACTED] Certificate of lawfulness - Saffron Hill  
**Categories:** [REDACTED]

Dear Leela

Further to our site visit last week, I can confirm that none of the processes undertaken at the premises by the current tenant would fall within the definition of the general industrial classification of the Use Classes Order, and I understand that the terms of their lease would prohibit them from doing so.

I have also reviewed the relevant section of the Use Classes Order pertaining to B1 use and can confirm my view that the processes currently undertaken at the site are such that they do not create any "detriment to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit" as evidenced by there being no visible manifestation of any of these issues outside the demise of property.

I also note in the supporting text to the B1 definition in the Use Classes Order, it has been held in the High Court that it is not the inherent qualities of the process undertaken but on the impact of the use and that the design of the building (or the equipment therein) are highly relevant factors and account may be taken of any equipment put in place to control the escape of any 'offensive emissions'.

The use has been quite happily operating the area for a number of years on this basis, and as you have seen for yourself, there is no indication of the existing activities that manifest outside the property to the detriment of the surrounding area. I would therefore conclude that the existing use would fall within class B1.

Do let me know if you need anything else from me and I would of course be happy to discuss.

Kind regards

Paul O'Neill  
Director



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