Your Ref: PP-14900961
Our Ref: HPD/DSP/MS/26/058
Date: 30 April 2026

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Manchester City Council
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Dear Sir/Madam,

RE: CERTIFICATE OF LAWFULNESS – 15 OXFORD ROAD MANCHESTER, M1 7DU

We write on behalf of our client, Joe & The Juice UK Limited (the "Applicant"), to submit a certificate of lawfulness for the proposed use in relation to 15 Oxford Road, Manchester, M1 7DU (the "Site") for:

"Certificate of Lawfulness for Proposed Use within Commercial, Business and Service (Class E)"

Following changes to The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 ("the 2020 Regulations") which took effect on 1st September 2020, this application seeks confirmation that the proposed use of the Site within Class E (Commercial, business and service) would be lawful and not require further planning permission.

Site Context and Planning History

The application site is not a Listed Building but is opposite a Grade II Listed Building, which forms the Dancehouse Theatre, including numbers 6-14, which at ground floor level are used as shops and upper levels as large studios and the surrounding are consisting of university buildings, cafes and commercial spaces. The site is located on the north side of Oxford Road, which is a vibrant, high-energy corridor connecting the City Centre to a major university district, recognised as a hub for education, culture and innovation. The buildings surrounding the site are of a similar nature, including Starbucks, Café Nero, Federal Coffee, KFC, Greggs, Oseyo, Tortilla, Sainsbury's and Asda. The site is currently a vacant unit on the ground floor towards the end of Oxford Road and was last occupied by a Spar Supermarket and Deli in 2018. HSBC Bank occupied the tenancy up until September 2016.

The majority of the street is a retail hub in the city centre's 'Knowledge Quarter' with the main shopping centre of Manchester nearby to the north. The surrounding buildings have commercial/retail (Use Class E) on the ground floor with predicted associated offices or dwellinghouses (Use Class C3). The site is on the corner of the row of terraced buildings adjacent to Charles Street.

The site comprises a ground-floor retail unit with a prominent frontage. The application site is located within the City Centre and is in Flood Zone 1. The site is also in an Urban Zone for housing mix.

The general surroundings of the site include other historic buildings, which are used as retail and commercial units. To the north of the site, there is a Grade II Listed Building for the Former Refuge Assurance Company Offices. To the south of the site, there is Dancehouse Theatre, including Numbers 6-14, which is a Grade II Listed Building. To the east is a Grade II Listed Building for the Lass O Gowrie Pub.

We consider the following applications to be the most pertinent to the current proposals:

- **LPA Ref: 119181/AO/2018** - Integral illumination and screen to the existing ATM fascia, internally illuminated Free Cash Withdrawals sign above the ATM Blue LED Halo illumination to the ATM surround – Approved – 23 April 2018
- **LPA Ref: 108577/AO/2015/C1** - Installation of 2no. advertising panels – Approved – 30 July 2015

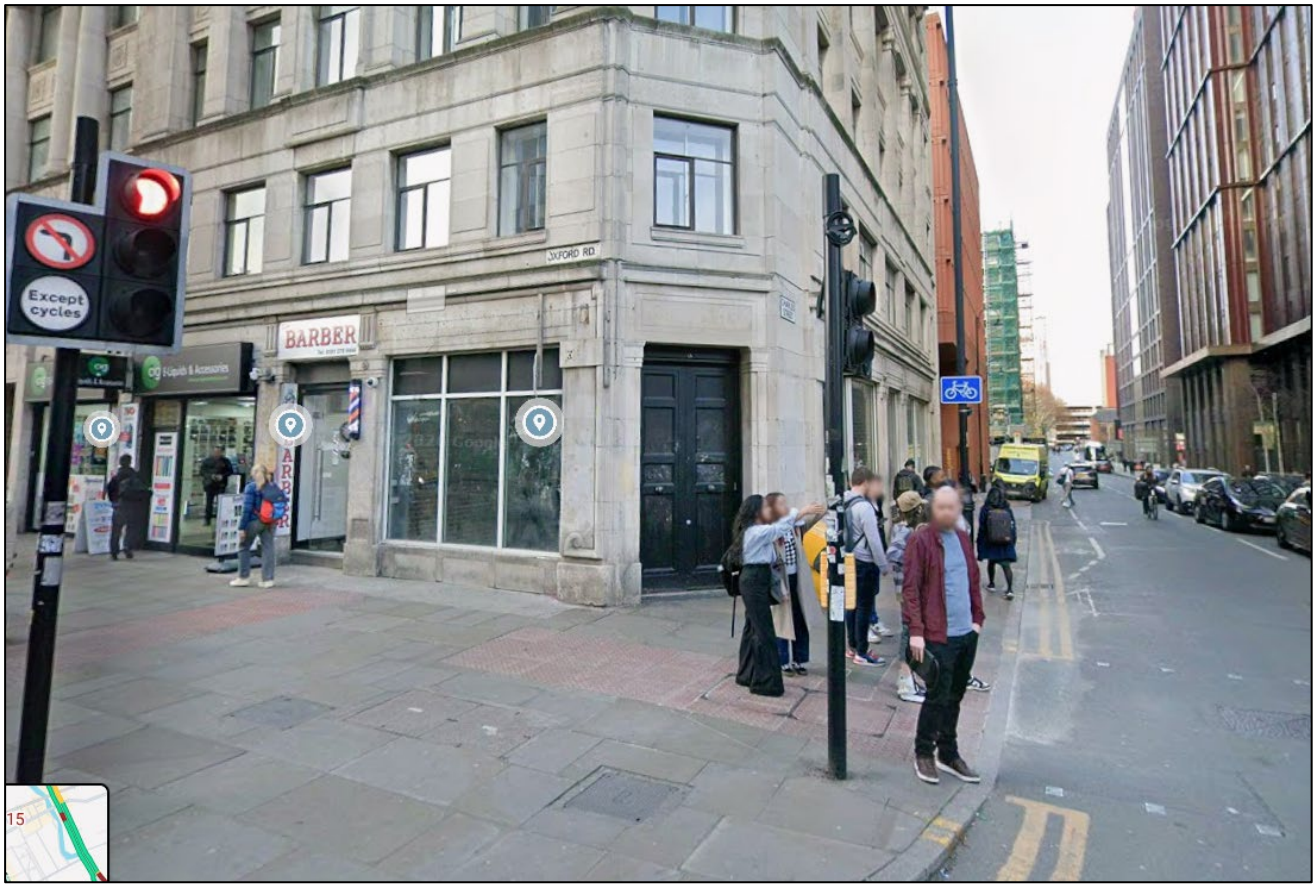
- **LPA Ref: 108570/FO/2015/C1** - Replacement of 3no. existing external ATMs with 3no. ATMs, 1no. of which to be equality act compliant and replacement of 3no. existing windows with frameless glazing incorporating an area of partially frosted glazing – Approved – 30 July 2015
- **LPA Ref: 084491/FO/2007/C3** - Installation of 1 no automated teller machine to the Charles Street elevation of the property – Approved – 7 December 2007
- **LPA Ref: 080330/FO/2006/C3** - Installation of 1 no. automated teller machine (ATM) – Approved – 9 October 2006
- **LPA Ref: 054220/FO/CITY3/98** - Elevational alterations to Oxford Road, Charles Street & Mallard Street including replacement windows – Approved – 15 June 1999
- **LPA Ref: 052574/AO/CITY3/97** - Illuminated fascia name signs and illuminated double sided projecting box signs – Approved – 2 October 1997
- **LPA Ref: 043897/DA/CMDC/93** - 2 Illuminated individual letter name signs 2 Illuminated double sided projecting logo signs – Approved -24 August 1993
- **LPA Ref: 019617** - Installation of cash dispenser – Approved – 24 May 1983
- **LPA Ref: F/AD03045** - Illuminated individual letter name signs on front and side elevation of bank – Approved – 11 December 1980
- **LPA Ref: FP/98/28493** - BUILDING CONTROL: Internal alterations to bank – Building works completed – 22 July 1998

Confirmation of Existing Use

Throughout the years, the building has been operating as a Bank (Class A2) and a Supermarket/ Deli (Class A1), as evidenced by Business Rates Records:

(Summary valuation - Valuation Office Agency - GOV.UK)

And dated Google Street View imagery over the last 10 years.





As such, we understand that the lawful established use would have been for Class A1 (Shops) and A2 (Bank). Following the amendments to the Town and Country Planning (Use Classes) Order 1987 (as amended) adopted on 1st September 2020, these revoked the former Class A, with Use Classes A1 (shops), A2 (financial and professional services) and A3 (restaurants and cafes), and some former D1 uses (Clinics, health centres, creches, day nurseries, day centre) to be replaced with the broader Use Class E (commercial, business and service).

Therefore, the existing use of the building is believed to fall within Use Class E, such that a proposed operation also falling within Class E would not require further planning permission.

Planning Assessment

This application seeks to established that the proposed use of the building within Class E use would be lawful.

The evidence and relevant information which has been gathered in support of this application, in line with section 192 (3) of the Act is as follows:

1. **Specify the land to which a certificate application relates**: floorplans including a site location plan identifying the areas to which the application relates have been prepared and submitted;
2. **Describe the use or other matters in question:** the use relates to the building, which is in a retail use;
3. **Reasons for determining the use to be lawful:** the following evidence has been gathered to give evidence to the Local Planning Authority reasons to determine the use as lawful:
    i) A review of the relevant planning history,
    ii) Valuation Office Agency Business Rates records which show that the ground floor rates as Shop and premises,
    iii) Circumstantial evidence such as google street view images and google searches.

<u>Statutory Context</u>

On 21st July 2020, the government published the Town and Country Planning (Use Classes) (Amendment) Regulations 2020 which became effective from 1st September 2020 ('the Amendment').

Regulation 7 of the Amendment states that:
"For the purposes of the Use Classes Order, if a building or other land is situated in England, and is being used for the purpose of one of the following classes which were specified in Part A or B of the Schedule to that Order

on 31st August 2020, as—

(a) Class A1 (Shops),

(b) Class A2 (Financial and professional services),

(c) Class A3 (Restaurants and cafes), or

(d) Class B1 (Business),

that building or other land is to be treated, on or after 1st September 2020, as if it is being used for a purpose specified within Class E (Commercial, business and service) in Schedule 2 to that Order."

Furthermore, Regulation 2 of the Amendment also confirmed the revocation of Part D of the Schedule to the Use Classes Order, with Class D1 split out and replaced by the new Classes E(e-f) and F1. Section 55(2)(f) of the Town and Country Planning Act 1990 (as amended) states that movement from one primary use within a use class to another within the same use class shall not be taken to be development of the land.

Therefore, and based on the evidence included within this Certificate application, the Class E use falls outside of the Section 55 definition of development by virtue of Section 55 (2)(f) and would be lawful.

Planning History

The site's planning history, using the information publicly available via the Manchester City Council online planning records, has been listed above. The relevant planning history relating to land use at the site specifically demonstrates that it has been used for commercial uses, including the previous operating convenience store and Deli 'Spar and Clayton Park Deli' and as a Bank 'HSBC'. There is no evidence to suggest the building has been used for any other purpose other than retail uses. Furthermore, of those planning permissions identified above, none of these have any restrictive planning conditions and/or obligations that specifically control that use.

Looking back at Google Street View to the earliest possible date confirmed that the tenancy was operating with the retail store 'Spar' from 2017-2018 and the Bank 'HSBC' was operating as early as 2008 and closed in 2016. Joe & The Juice propose to occupy the ground floor. From looking at the existing layouts of the building, it is confirmed that the entire building has been used as retail, with additional storage on the other floors.



As such, it can be confirmed that the site has been operating under the previous Use Class A1. This Use Class has now been replaced with the broader Use Class E (commercial, business and service), and the proposed juice bar/café should be acceptable in this location.

Proposed Use

Joe and the Juice are a global juice bar, originally founded in Copenhagen in 2002. The brand now has over 450 stores worldwide, 89 of which are located in the UK.

The company operates a Class E (Commercial/Retail) operation, selling freshly made juices and shakes (primarily for off-site consumption); providing healthy and convenient food/drink to the local workforce, shoppers, commuters and visitors alike, with each individual branch servicing its own local area.

Each Joe and the Juice store features a counter/bar area for ordering primarily cold drinks to take-away. Coffee, cold food and snacks are also available on the menu. There is no primary cooking on site. Some ancillary seating areas are also typically provided, albeit there is no table-service.

Joe and the Juice operate their entire portfolio within England under Use Class E.

Conclusion

We consider that this evidence demonstrates that the site in question has automatically transitioned from its historic Class A1 and A2 uses and can now lawfully operate within (Class E) use. The proposed use, by Joe and the Juice, will continue to operate under Use Class E, as a juice bar with ancillary seating and cold food and drink to take-away. The information and facts of the evidence prove this is sufficiently precise and unambiguous on the balance of probabilities. There are no restrictive planning conditions or clauses, as far as we are aware, which would preclude the provisions of Regulation 7 of the Amendment Order.

Summary

In support of this application, alongside a copy of this letter we have submitted the following:

- Completed application form (submitted via the planning portal);
- Site location plan; and,
- Existing and Proposed Drawings.

The requisite fee of £396.00 (including the planning portal service charge of £91.00) will be paid online via the planning portal in due course.

Please do not hesitate to contact me (07802 438317 / mshadforth@hpduk.com) should you wish to discuss any of the content of this submission in further detail.

Yours sincerely,

[redacted]

Max Shadforth
PLANNER