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HERITAGE STATEMENT

Change of Use of First & Second Floors to 4no. Residential Apartments

28 Commercial Street, Batley, West Yorkshire, WF17 5EY

Site Address	28 Commercial Street, Batley, West Yorkshire, WF17 5EY
Kirklees Reference	2026/92955 - 28, Commercial Street, Batley, WF17 5EY
Heritage Asset Affected	Station Road Conservation Area (the site lies partly within it)
Prepared By	Manzil Studio Ltd
Date	26 October 2026

1.0 Introduction

This Heritage Statement has been prepared by Manzil Studio Ltd on behalf of the applicant, Mr Rizwan Patel, in support of planning application 2026/92955 at 28 Commercial Street, Batley. It responds to Kirklees Council's request, made during validation, for a Heritage Statement because the site falls partly within a Conservation Area.

The statement describes the heritage asset affected, explains its significance, and assesses the effect of the proposal on that significance, as required by the National Planning Policy Framework (NPPF) and Policy LP35 of the Kirklees Local Plan. It is based on the Council's published conservation area appraisal, the application drawings, and a desk-based review of heritage designations.

2.0 The Site

The application site is a corner plot at the junction of Commercial Street, Spa Street and Spa Hill, in Batley town centre. The building is three storeys high and has a trapezoidal plan of approximately 175 sqm per floor. Its glazing is concentrated on the south and east elevations. The ground floor is in restaurant use and is not part of the proposal. The first and second floors are the subject of this application. To the rear of the building, within the application site boundary, is an enclosed yard bounded by fencing, as shown on the site plan (A103).

The Council has advised that the site lies partly within a Conservation Area. The Council's appraisal shows that this is the Station Road Conservation Area, which includes the Commercial Street character zone.

The building dates from 1933. It is faced in red brick with stone dressings to the window openings and has a ceramic tiled roof. The ground floor has a modern shopfront. The external appearance of the building will not change.

3.0 Heritage Context

3.1 Station Road Conservation Area

The Station Road Conservation Area was first designated by Kirklees Council in 1987. It was enlarged and redesignated in 2006, and the Council's appraisal records 32 listed buildings within it. The Council's duty under

section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is to pay special attention to preserving or enhancing the character or appearance of the area.

The appraisal describes an area of mixed industrial, commercial and residential character, developed largely in the late nineteenth century on the back of Batley's textile trade and the arrival of the railway. The most ornate buildings are the former warehouses on Station Road. Building materials across the area are almost entirely local stone and blue slate.

The appraisal treats Commercial Street as one of the area's distinct zones. It describes a well-preserved run of nineteenth-century terraced shops and drinking houses on both sides of the street, which forms a gateway into the Conservation Area and gives a sense of arrival. The Commercial Street properties are described as a series of nineteenth-century buildings put up to capture some of the wealth then available in Batley.

3.2 Listed buildings

The listed buildings described in the Council's appraisal are concentrated on Station Road, Bradford Road, Hick Lane and Oaks Road. None is identified on Commercial Street in the appraisal, and the application building is not statutorily listed, as confirmed by a search of the National Heritage List for England (https://historicengland.org.uk/listing/the-list/) in October 2026. No listed building consent is therefore required.

3.3 Relevant guidance in the appraisal

The appraisal accepts that change within the Conservation Area is not prevented by its designation, and that changes which enhance its character are welcome. It identifies piecemeal alterations to buildings, such as replacement windows and poor-quality shopfronts, as a threat to its character, and says these should be resisted. It also notes that the wider area has been economically vulnerable, which makes the viable reuse of buildings important.

4.0 Significance of the Site

The building dates from 1933, so it is later than the nineteenth-century stone and slate terraces that the appraisal describes on Commercial Street. Its contribution to the Conservation Area comes mainly from its external form, scale and prominent corner position, and from its stone-dressed window openings, which relate to the older buildings around it. It contributes to the Commercial Street frontage and the approach into the Conservation Area. The ground floor has a modern shopfront. The first and second floors, which are the subject of this application, are open-plan commercial floorplates served by a stair core, as shown on the existing plans.

Because the proposal is confined to the interior of these floors, it is the external character and appearance of the building that matters for the purposes of this assessment.

5.0 The Proposal

The proposal is a change of use of the first and second floors from retail (Class E) to 4no. self-contained apartments (Class C3), with associated internal alterations. The key points for heritage purposes are:

- No extension, demolition, change of height, or alteration to the roofline or footprint.
- No external alterations to the building are proposed. The external appearance, materials and fenestration remain as existing.
- The apartments are accessed through the existing apartment entrance door off Commercial Street, labelled “Apartment Entrance / Exit” on the proposed plans, which is retained as it is.
- The ground floor restaurant and its frontage are unaltered.
- Refuse, recycling and cycle storage are free-standing and located in the existing rear yard, as shown on the site plan (A103). They do not alter the building. The applicant would accept a condition requiring details of screening or enclosure if the Council considers it necessary.

Should the building's condition survey identify any limited external repair or replacement (for example, a window beyond repair), it would be carried out like-for-like in materials, proportions and detailing, and submitted to the Council for approval before it is carried out.

6.0 Assessment of Impact

6.1 Policy framework

Section 72 of the 1990 Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Chapter 16 of the NPPF requires applicants to describe the significance of the heritage asset affected, requires great weight to be given to its conservation, and expects harm to be avoided or justified. Policy LP35 of the Kirklees Local Plan (adopted 2019) applies the same approach locally, and Policy LP24 requires good design that respects its surroundings.

6.2 Effect on character and appearance

The proposal makes no change to the external appearance of the building, to its massing, or to its relationship with the Commercial Street and Spa Street frontages. Views into and across the Conservation Area, including the approach along Commercial Street, are unchanged. The free-standing bins and cycle rack in the rear yard are modest in scale and do not affect the building's fabric or the Commercial Street frontage. The proposal therefore preserves the character and appearance of the Conservation Area.

6.3 Effect of the change of use

The change of use brings vacant upper floors back into a viable, long-term use while the ground floor continues to trade. Residential occupation of the upper floors supports the vitality of the street, increases activity and natural surveillance outside shopping hours, and helps secure the maintenance of the building. This is consistent with the appraisal's recognition that reuse of buildings supports the area's long-term future. By avoiding piecemeal external alterations, the proposal also follows the appraisal's advice on protecting the character of the area.

6.4 Conclusion on impact

The proposal causes no harm to the significance of the Station Road Conservation Area, and has a modest positive effect through securing the beneficial use of the building. Even if the Council were to take a different view of the building's contribution, the absence of external change means any effect would be negligible and well outweighed by the public benefits of providing four new homes in a sustainable town centre location.

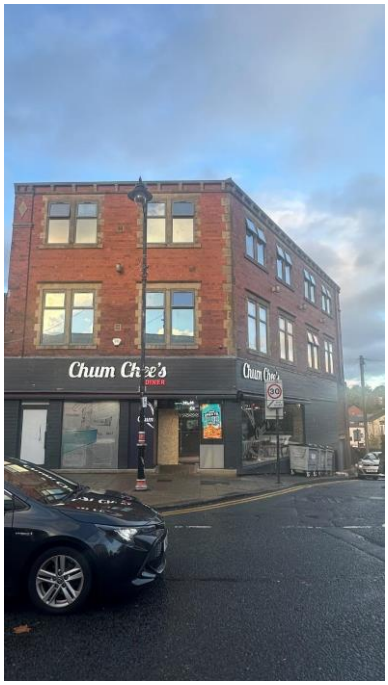
7.0 Conclusion

The proposed conversion of the first and second floors at 28 Commercial Street is an internal change of use with no external alteration. It preserves the character and appearance of the Station Road Conservation Area, and complies with section 72 of the 1990 Act, Chapter 16 of the NPPF and Policy LP35 of the Kirklees Local Plan. The proposal is respectfully commended for approval on heritage grounds.

8.0 Sources

- Kirklees Council, Station Road Batley Conservation Area Appraisal (2006).
- Kirklees Local Plan: Strategy and Policies (adopted February 2019), Policies LP24 and LP35.
- National Planning Policy Framework, Chapter 16: Conserving and enhancing the historic environment.
- Planning (Listed Buildings and Conservation Areas) Act 1990, section 72.
- National Heritage List for England (Historic England).
- Application drawings: existing and proposed floor plans and site plan (Manzil Studio Ltd).

Appendix A Photographs



Existing front of building



Existing rear of building



Existing side of building