

Development Management, Economic Development and Planning,
County Hall, Bythesea Road, Trowbridge, BA14 8JN
Tel: 0300 456 0114 Email: developmentmanagement@wiltshire.gov.uk



Application for Planning Permission; Listed Building Consent for alterations, extension or demolition of a listed building

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	33
Suffix	
Property Name	
Address Line 1	The Market Place
Address Line 2	
Address Line 3	Wiltshire
Town/city	Devizes
Postcode	SN10 1JG

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
400414	161534

Description

Applicant Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

Mrs

First name

Beiza

Surname

Tzivelek

Company Name

Esi Licensing and Legal Consultancy

Address

Address line 1

84

Address line 2

Hayes Lane

Address line 3

Town/City

Bromley

County

Country

Postcode

BR2 9EE

Contact Details

Primary number

[REDACTED]

Secondary number

Fax number

Email address

[REDACTED]

Description of the Proposal

Please note in regard to:

- **Fire Statements** - From 1 August 2021, planning applications for buildings of over 18 metres (or 7 stories) tall containing more than one dwelling will require a 'Fire Statement' for the application to be considered valid. There are some exemptions. [View government planning guidance on fire statements](#) or [access the fire statement template and guidance](#).
- **Permission In Principle** - If you are applying for Technical Details Consent on a site that has been granted Permission In Principle, please include the relevant details in the description below.
- **Public Service Infrastructure** - From 1 August 2021, applications for certain public service infrastructure developments will be eligible for faster determination timeframes. See help for further details or [view government planning guidance on determination periods](#).

Description

Please describe details of the proposed development or works including details of proposals to alter, extend or demolish the listed building(s)

The proposal seeks planning permission for the change of use of 33 Market Place, Devizes from Class E (retail) to Sui Generis (hot food takeaway) together with associated internal works and installation of an extraction/ventilation system.

The internal works will include:

Installation of a commercial kitchen layout at ground floor level, incorporating pizza oven, doner grill, fryer, refrigeration and associated catering equipment.

Minor internal alterations to form storage and staff areas.

No removal or alteration of historic features, floors, ceilings or structural fabric is proposed.

All fixings for new equipment will be limited and reversible.

The external works are limited to:

Installation of a new extraction and ventilation duct, routed internally where possible and terminating at roof level as shown on drawing A138.

The extraction system incorporates an electrostatic precipitator, carbon filtration and silencers to ensure effective odour and noise control.

The external jet cowl at roof level will be finished in a matte neutral colour to reduce visual impact.

Fixings will be made through mortar joints wherever possible, ensuring reversibility and minimising harm to historic fabric.

No demolition works are proposed. No alterations are proposed to the principal façade, windows, doors or decorative features. Any new signage will be the subject of a separate application to ensure compliance with conservation area and listed building guidance.

The proposals are therefore limited in scope, reversible in nature, and designed to preserve and enhance the special architectural and historic interest of the Grade II listed building and the wider Devizes Conservation Area.

Has the development or work already been started without consent?

☐ Yes

☒ No

Listed Building Grading

What is the grading of the listed building (as stated in the list of Buildings of Special Architectural or Historical Interest)?

- ☐ Don't know
- ☐ Grade I
- ☐ Grade II*
- ☒ Grade II

Is it an ecclesiastical building?

- ☐ Don't know
- ☐ Yes
- ☒ No

Demolition of Listed Building

Does the proposal include the partial or total demolition of a listed building?

- ☐ Yes
- ☒ No

Immunity from Listing

Has a Certificate of Immunity from Listing been sought in respect of this building?

- ☐ Yes
- ☒ No

Listed Building Alterations

Do the proposed works include alterations to a listed building?

- ☒ Yes
- ☐ No

If Yes, do the proposed works include

a) works to the interior of the building?

- ☒ Yes
- ☐ No

b) works to the exterior of the building?

- ☒ Yes
- ☐ No

c) works to any structure or object fixed to the property (or buildings within its curtilage) internally or externally?

- ☒ Yes
- ☐ No

d) stripping out of any internal wall, ceiling or floor finishes (e.g. plaster, floorboards)?

- ☐ Yes
- ☒ No

If the answer to any of these questions is Yes, please provide plans, drawings and photographs sufficient to identify the location, extent and character of the items to be removed. Also include the proposal for their replacement, including any new means of structural support, and state references for the plan(s)/drawing(s).

Yes – plans and drawings have been prepared to show the proposed internal and external alterations.

Internal works: Installation of a commercial kitchen layout at ground floor level. This involves the addition of equipment (pizza oven, doner grill, fryer, refrigeration and counters) as shown on Drawing A120 (Proposed Ground Floor Plan). These works do not require the removal of any historic walls, ceilings, floors or features. All equipment is surface-mounted and fully reversible.

External works: Installation of a kitchen extraction/ventilation system, routed internally where possible and terminating at roof level. This is shown on Drawing A138 (Ventilation Schematic Elevation). Components include canopy, ducting, silencers, electrostatic precipitator (ESP), carbon filter and jet cowl. The external jet cowl at roof level will be colour-coated to match roof finishes and fixed in a reversible manner (into mortar joints where possible).

Sections and elevations: The relationship of the extraction duct to the building is illustrated in Drawings A125–A128 (Proposed Elevations) and A129–A132 (Proposed Sections).

3D illustrations: The proposed works and their visual impact are further illustrated in Drawings A133–A137 (Proposed 3D views).

Replacement/support proposals

No historic fabric will be removed, therefore no replacement of internal walls, ceilings or floors is required.

Structural support is limited to lightweight fixings for kitchen equipment and ducting; all of which are reversible and will not affect the structural integrity of the listed building.

Materials

Does the proposed development require any materials to be used?

☒ Yes

☐ No

Please provide a description of existing and proposed materials and finishes to be used (including type, colour and name for each material) demolition excluded

Type:

Other

Other (please specify):

Entire Development

Existing materials and finishes:

External walls & shopfront: Painted timber shopfront with glazed panels; brick external walls; tiled roof. Floors: Tiled ground floor; upper floors simple boarded finishes. Internal walls/ceilings: Painted plasterboard/plaster finishes. No existing extraction or ductwork.

Proposed materials and finishes:

External works: Installation of new galvanised steel extraction duct and jet cowl, with external elements finished in matte black powder-coat to blend with roofscape. Duct supports fixed into mortar joints only, ensuring reversibility. Internal works: Commercial stainless steel kitchen canopy, fryer, pizza oven, doner grill, and refrigeration units (all internal, not visible externally). Lightweight internal partitioning as required, finished in painted plasterboard to match existing. Ground floor to be overlaid with non-slip commercial vinyl (reversible finish). External shopfront: No alterations proposed; existing painted timber and glazed panels retained. Roof and structure: No changes proposed other than discrete fixings for duct supports in mortar joints.

Are you supplying additional information on submitted plans, drawings or a design and access statement?

☒ Yes

☐ No

If Yes, please state references for the plans, drawings and/or design and access statement

A125 – Proposed Front Elevation (shows existing shopfront retained, no alterations)
A126 – Proposed Rear Elevation (shows extraction flue position and finish)
A127 – Proposed Left Elevation (duct routing and external finish)
A128 – Proposed Right Elevation (duct routing and external finish)
A138 – Ventilation Schematic Elevation (specification of extraction system including galvanised steel ductwork, ESP, carbon filter, silencers, and jet cowl, with proposed matte black powder-coated finish externally)

Site Area

What is the measurement of the site area? (numeric characters only).

104.27

Unit

Sq. metres

Existing Use

Please describe the current use of the site

The application site at 33 Market Place, Devizes is a Grade II listed commercial property located within the Devizes Conservation Area. The premises were most recently occupied by Boots Opticians (Class E – retail/health services use) but are now vacant. The property therefore currently has a lawful use within Class E (Commercial, Business and Service) of the Use Classes Order 1987 (as amended).

Is the site currently vacant?

- ☒ Yes
☐ No

If Yes, please describe the last use of the site

The premises were last in use as Boots Opticians, operating within Class E (retail/health services) of the Use Classes Order.

When did this use end (if known)?

dd/mm/yyyy

Does the proposal involve any of the following? If Yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated

- ☐ Yes
☒ No

Land where contamination is suspected for all or part of the site

- ☐ Yes
☒ No

A proposed use that would be particularly vulnerable to the presence of contamination

- ☐ Yes
☒ No

Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicular access proposed to or from the public highway?

- ☐ Yes
☒ No

Is a new or altered pedestrian access proposed to or from the public highway?

- ☐ Yes
☒ No

Are there any new public roads to be provided within the site?

- ☐ Yes
☒ No

Are there any new public rights of way to be provided within or adjacent to the site?

- ☐ Yes
☒ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

- ☐ Yes
☒ No

Vehicle Parking

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- ☐ Yes
☒ No

Foul Sewage

Please state how foul sewage is to be disposed of:

- ☒ Mains sewer
☐ Septic tank
☐ Package treatment plant
☐ Cess pit
☐ Other
☐ Unknown

Are you proposing to connect to the existing drainage system?

- ☐ Yes
☐ No
☒ Unknown

Assessment of Flood Risk

Is the site within an area at risk of flooding? (Check the location on the Government's [Flood map for planning](#). You should also refer to national [standing advice](#) and your local planning authority requirements for information as necessary.)

- ☐ Yes
☒ No

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

- ☐ Yes
☒ No

Will the proposal increase the flood risk elsewhere?

- ☐ Yes
☒ No

How will surface water be disposed of?

- ☐ Sustainable drainage system
☐ Existing water course
☐ Soakaway
☒ Main sewer
☐ Pond/lake

Trees and Hedges

Are there trees or hedges on the proposed development site?

- ☐ Yes
☒ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

- ☐ Yes
☒ No

If Yes to either or both of the above, you may need to provide a full tree survey, at the discretion of the local planning authority. If a tree survey is required, this and the accompanying plan should be submitted alongside the application. The local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

Biodiversity and Geological Conservation

Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?

To assist in answering this question correctly, please refer to the help text which provides guidance on determining if any important biodiversity or geological conservation features may be present or nearby; and whether they are likely to be affected by the proposals.

a) Protected and priority species

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

b) Designated sites, important habitats or other biodiversity features

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

c) Features of geological conservation importance

- ☐ Yes, on the development site
☐ Yes, on land adjacent to or near the proposed development
☒ No

Supporting information requirements

Where a development proposal is likely to affect features of biodiversity or geological conservation interest, you will need to submit, with the application, sufficient information and assessments to allow the local planning authority to determine the proposal.

Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the local planning authority has been submitted.

Your local planning authority will be able to advise on the content of any assessments that may be required.

Biodiversity net gain

Biodiversity net gain is a legal requirement for planning permission introduced on 12 February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase; or explain why the requirement does not apply to the development.

Do you believe that, if the development is granted permission, the general Biodiversity Gain Condition (as set out in [Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 \(as amended\)](#)) would apply?

☐ Yes

☒ No

Biodiversity net gain has been introduced as a general condition for planning permission. As set out in [The Environment Act 2021](#): "grants of planning permission in England [are] to be subject to a condition to secure that the biodiversity gain objective is met". Therefore, in England, all planning permissions are generally subject to biodiversity gain rules, unless they are specifically exempt or out of scope.

If you have stated that the biodiversity net gain requirement does not apply to your application you must provide the reason(s) why, and may also need to supply evidence (especially where you believe the application is eligible for the 'de minimis' exemption).

Please add all the reasons why biodiversity net gain does not apply and enter a justification for each one

Reason biodiversity net gain does not apply:

Development subject to the de minimis exemption (development below the threshold)

What best describes the size of your site?:

Over 25 square metres

Please justify the reason why biodiversity net gain does not apply:

Biodiversity Net Gain does not apply as the site is a Grade II listed commercial building within Devizes town centre, with no land, habitats, trees or vegetation affected; works are limited to internal fit-out and installation of a roof-level extraction system.

Note: Please read the help text for further information why developments may be exempt or not in scope.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

☒ Yes

☐ No

If Yes, please provide details:

Waste storage will be provided internally at ground floor level in a dedicated bin store area, with refuse transferred to the designated collection point on Market Place in accordance with the council's collection arrangements.

Have arrangements been made for the separate storage and collection of recyclable waste?

☒ Yes

☐ No

If Yes, please provide details:

Provision will be made for separate storage of general waste and recyclable waste (cardboard, plastics, packaging), with collections by the local authority/approved contractor.

Residential/Dwelling Units

Does your proposal include the gain, loss or change of use of residential units?

☐ Yes

☒ No

All Types of Development: Non-Residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

Note that 'non-residential' in this context covers all uses except Use Class C3 Dwellinghouses.

☐ Yes

☒ No

Employment

Are there any existing employees on the site or will the proposed development increase or decrease the number of employees?

☒ Yes

☐ No

Existing Employees

Please complete the following information regarding existing employees:

Full-time

0

Part-time

0

Total full-time equivalent

0.00

Proposed Employees

If known, please complete the following information regarding proposed employees:

Full-time

3

Part-time

2

4.00

Hours of Opening

Are Hours of Opening relevant to this proposal?

- ☒ Yes
☐ No

Please add details of the of the Use Classes and hours of opening for each non-residential use proposed.

If you do not know the hours of opening, select the Use Class and tick 'Unknown'

Use Class:

Other (Please specify)

Other (Please specify):

Sui Generis

Unknown:

No

Monday to Friday:**Start Time:**

11:00

End Time:

23:00

Saturday:**Start Time:**

11:00

End Time:

00:00

Sunday / Bank Holiday:**Start Time:**

11:00

End Time:

23:00

Industrial or Commercial Processes and Machinery

Does this proposal involve the carrying out of industrial or commercial activities and processes?

- ☒ Yes
☐ No

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

The proposal involves the operation of a hot food takeaway (Sui Generis use) at ground floor level. Activities will include the preparation, cooking and sale of hot food for consumption off the premises, with ancillary storage and staff facilities.

End products: hot food and drink (e.g. pizza, doner kebabs, grilled items, fried items, cold and hot drinks).

Machinery/plant to be installed:

Commercial pizza oven

Doner/shawarma rotisserie grill

Deep fat fryer and chargrill

Refrigeration and freezer units

Stainless steel kitchen canopy with ducting

Ventilation/extraction system incorporating canopy, electrostatic precipitator (ESP), carbon filter, silencers, and jet cowl discharging at roof level (Drawing A138)

Standard air conditioning/comfort cooling units for customer/staff areas (if required, small-scale wall-mounted units only).

Is the proposal for a waste management development?

☐ Yes

☒ No

Hazardous Substances

Does the proposal involve the use or storage of Hazardous Substances?

☐ Yes

☒ No

Trade Effluent

Does the proposal involve the need to dispose of trade effluents or trade waste?

☒ Yes

☐ No

If Yes, please describe the nature, volume and means of disposal of trade effluents or waste

Nature: General food-related packaging waste (cardboard, plastics, containers), and food preparation waste (small volumes of organic waste).

No hazardous waste or liquid trade effluent will be generated.

Volume: Small-scale volumes typical of a town-centre hot food takeaway.

Means of disposal:

All waste will be bagged, securely stored in a designated bin store area at ground floor level, and collected by the local authority or a licensed commercial waste contractor.

Separate containers will be provided for general waste and recyclable waste.

Waste oil from fryers will be collected and disposed of by an approved licensed waste oil recycling contractor.

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes

☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

☒ The agent

☐ The applicant

☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
☒ No

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 & Regulation 6 - Planning (Listed Buildings and Conservation Areas) Regulations 1990

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of **all** the land to which this application relates; **and** has the applicant been the sole owner for more than 21 days?

- ☒ Yes
☐ No

Is any of the land to which the application relates part of an Agricultural Holding?

- ☐ Yes
☒ No

Certificate Of Ownership - Certificate A

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

* 'owner' is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** 'agricultural holding' has the meaning given by reference to the definition of 'agricultural tenant' in section 65(8) of the Act.

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

Person Role

- ☒ The Applicant
☐ The Agent

Title

Mr

First Name

Mustafa

Surname

Suna

Declaration Date

03/10/2025

☒ Declaration made

Declaration

I/We hereby apply for Full planning & listed building consent as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

[Redacted Signature]

Date

24/10/2025