



The Planning (Listed Building and Conservation Areas) Act 1990

Refusal of Listed Building Consent

Application Reference Number: PL/2025/08809

Decision Date: 05/03/2026

Applicant:	Mr Mustafa Suna 33 The Market Place, Devizes, Wiltshire, SN10 1JG
Particulars of Development:	Works to facilitate change of use from Class E (retail) to Sui Generis (hot food takeaway) to include associated internal works and external works, including installation of an extraction/ventilation system.
At:	33 The Market Place, Devizes, SN10 1JG

In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT LISTED BUILDING CONSENT for the development referred to in the above application and plans submitted by you, for the following reason(s):-

Refusal Reason

- The proposed internal and external works, including the removal of historic internal walls, installation of extensive internal ducting, and the erection of a prominent external extraction flue extending above the ridge line, would result in harm to the special architectural and historic interest of the Grade II listed building. The works would lead to the loss and alteration of significant historic fabric, disrupt the building's historic plan form, introduce intrusive modern services into sensitive areas of the structure, and adversely affect the building's external appearance. The external flue would be visually intrusive within views from neighbouring properties and the rear public car park, thereby harming the setting of nearby listed buildings and failing to preserve or enhance the character and appearance of the Devizes Conservation Area.

The submitted Heritage Statement fails to adequately describe the significance of the heritage asset or assess the impact of the proposed works, contrary to paragraph 207 of the National Planning Policy Framework. The development would result in 'less than substantial harm' to the significance of designated heritage assets for the purposes of the NPPF; however, no clear and convincing justification or public benefits have been demonstrated to outweigh this harm, as required by paragraphs 212–216 of the NPPF. The proposal therefore conflicts with Sections

16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Core Policies 57 and 58 of the Wiltshire Core Strategy, and Section 16 of the National Planning Policy Framework.

Nic Thomas - Director of Planning, Economy and Regeneration

NOTES

1. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to refuse permission, they may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - [Appeal a planning decision: Overview - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/appeal-a-planning-decision-overview)).