



Appeal Decision

Site visit made on 30 June 2026

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 July 2026

Appeal Ref: 6007663

74 Eastern Avenue, Chippenham SN15 3LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Andrew Hughes against Wiltshire Council.
 - The application Ref is PL/2025/09769.
 - The development proposed is described on the application form as, "Radio Antenna".
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Decision

1. The appeal is dismissed and planning permission for installation of amateur radio antennas including a retractable mast within the rear garden is refused.

Preliminary Matters

Description of development

2. Differing to the description of development in the banner heading above, the submitted Appeal Statement accurately describes the development as shown on the supporting plans as, "Installation of amateur radio antennas including a retractable mast within the rear garden". I have used this description in my consideration of the appeal since it best describes the proposed development in precise and concise terms.

Plans in relation to as-built development

3. This appeal follows the non-determination by the Council of an application for planning permission relating to a development that has already been carried out. Since the appeal responds to the Council not having determined the application, there is no decision notice. Nonetheless, at the appeal stage the Council have provided putative reasons for refusal, the first of which mentions that the plans originally submitted with the planning application do not accurately reflect the development on site.
4. The appellant has mentioned that all the dimensions and specifications in the application form and the Design & Access Statement (DAS) are correct. However, the application form does not specify any dimensions. Paragraph 140 of the National Planning Policy Framework (the Framework) is clear that relevant planning conditions must refer to clear and accurate plans and drawings which provide visual clarity about the design of the development. That the DAS specifies dimensions does not obviate this requirement as set out in national planning policy.
5. In any event, at application stage the applicant (now the appellant) confirmed to the Council that the plans originally submitted with the planning application required

amendment. At that time, the applicant referred to the original plans as 'illustrative drawings'. As such, I cannot be certain that the development that has been carried out is exactly the same in its entirety as that which has been applied for. In these circumstances, the proper approach at the appeal stage is to assess the proposed development as shown on the plans originally submitted with the planning application, rather than what has been built on site.

Amended plans

6. The Council consulted interested parties (including local residents) on the basis of the plans originally submitted to the Council. Subsequently, the Council received copies of amended plans. The appellant has referred to an issue with uploading these plans to the Planning Portal at an earlier stage, but no evidence has been provided to substantiate this.
7. The Procedural Guide¹ states that it is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the Local Planning Authority and by interested parties at the application stage. The Procedural Guide notes that even potentially beneficial changes may need to be subject to re-consultation, so that interested parties can consider whether that would be the case.
8. In this case, the Proposed Block Plan as amended shows one single wire stemming from the rear of 74 Eastern Avenue (No 74), whereas the originally submitted Proposed Block Plan shows 2 single wires. The Proposed Elevations as amended show the triple delta loop antenna as comprising 2 vertical structures positioned above No 74's ridgeline, whereas the originally submitted Proposed Elevations shows 4 vertical structures positioned above No 74's ridgeline. Furthermore, the maximum height of Antenna 1 (as defined in the DAS) is appreciably lower as shown on the Proposed Elevations as amended when compared with Antenna 1 as shown on the Proposed Elevations as originally submitted.
9. Consequently, the amended plans are substantially different from the plans originally submitted with the planning application. Given that interested parties expressed views at application stage about the visual impact of the proposed development, to consider the amended plans would be unfair to interested parties, whose views and comments were based on the originally submitted plans. Accordingly, for the avoidance of doubt, this appeal decision only relates to the proposed development as shown on the plans originally submitted to the Council.

Main Issue

10. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

11. The appeal site comprises No 74, a 2-storey semi-detached dwelling, with a garage set-back from the frontage of the plot, and associated private amenity space. No 74 has a pitched roof, a canopy on its southern elevation, and a single-storey rear addition. The local area is characterised by modern residential development of between one and 2 storeys which is mostly uniform in terms of building lines,

¹ Procedural Guide: Planning appeals – England. For appeals relating to applications dated on or before 31 March 2026

- roofscape, and soft landscaping. Several telegraph poles with long protruding wires line Eastern Avenue. Television aerials and satellite dishes are commonly present on nearby dwellings.
12. The Proposed Elevations shows Antenna 1 extending several metres above No 74's roof ridge. The proposed triple delta loop antenna (to be mounted on a telescopic monopole mast) (Antenna 3 (as defined in the DAS)) is also shown as being positioned above No 74's roof ridge.
 13. Due to the triple delta loop antenna's position above No 74's roof ridge, its irregular shape, its wide spread, and its utilitarian appearance, it would be a far more visually prominent feature in the street scene than the existing items of nearby domestic communications infrastructure, including television aerials and satellite dishes.
 14. Whilst telegraph poles are present along Eastern Avenue, as are chimneys, due to its irregular shape the proposed triple delta loop antenna would bear little resemblance to these. Nor, due to its shape, would the triple delta loop antenna be comparable in appearance with the distant electricity pylon, referred to in the submitted Photo Pack. Additionally, due to its distance from the site, that pylon appears as a background feature in the street scene, whereas the proposed triple delta loop antenna would have a much more pronounced appearance in the street scene. Although Antenna 1 would have a slender profile, it would be seen from Eastern Avenue in conjunction with Antenna 3, which would exacerbate the prominence of the proposed development when considered as a whole.
 15. In combination, the proposed development would have an untidy and cluttered appearance, when seen from Eastern Avenue. It would neither complement the appearance of No 74, nor the appearance of nearby dwellings. Due to its visual incongruity in the street scene, the proposed development would not adequately harmonise with its local context.
 16. As a result of the prominence and height of the triple delta loop antenna, a planning condition mandating the colour and finish of the proposed development would not be sufficient to mitigate these adverse visual impacts. The proposed development would be contrary to the expectation set out at part 3.2 of the Wiltshire Design Guide (2024) that development should respect and enhance the intrinsic local character and distinctiveness of the local area.
 17. The Proposed Elevations do not show Antenna 3 in its retracted state. Nevertheless, even if the triple delta loop antenna were to be retracted so that it would not extend higher than No 74's roof ridge, it would span across a considerable portion of No 74's rear elevation. Due to the wide spread of the structure relative to the width of No 74's rear elevation, and its irregular shape, it would not be characteristic of domestic-scale development. Rather, it would be a large structure with a jumbled and utilitarian appearance which would detract from No 74's modern residential design. It would be visible from the gardens of nearby dwellings, and from between some dwellings on Downham Mead (to the rear of the site), where its harmful impact on the appearance of No 74 would be evident.
 18. As the triple delta loop antenna would have a harmful visual impact even in its retracted state, planning conditions requiring Antenna 3 to be fully-retracted on weekdays (outside of any emergency situation or an emergency exercise), and restricting the height of the antennas above No 74's roofline, would not overcome

the harm identified above. Conditions requiring the removal of the proposed development once the use of the antennas ceases, and restricting the permission to the appellant only, would not alter its harmful impact, which would be significant, when in operation.

19. The photograph showing a typical amateur mast and antenna (at page 3 of the DAS) only provides a partial view of the context in which it is sited. Photographs showing typical types of amateur radio antennas have been provided at page 5 of the DAS. Apart from one photograph, which appears to show a sparsely built-up area near mountains which is not comparable with the local area in which No 74 is situated, few details have been provided to illustrate the context in which those antennas are situated. It has not been demonstrated that any of these examples are comparable with the context in which the proposed development would sit. Although it has been asserted that the scale of the proposed development would be consistent with other installations commonly found across the UK, specific examples have not been provided to substantiate this. None of these matters alter my findings on this main issue.
20. I therefore find that the proposed development would have an unacceptable and harmful effect on the character and appearance of the area. It would conflict with part iii. of Core Policy 57 of the Wiltshire Core Strategy (adopted 2015) (Core Strategy) which provides that, amongst other things, applications for new development must demonstrate how the proposal will make a positive contribution to the character of Wiltshire through responding positively to existing townscape features.

Other Matters

21. The conduct of the Council during the processing of the planning application, including in relation to procedural fairness, is not a matter that I can assess in the context of a planning appeal. The appellant has referred to paragraph 93 of the Framework. That paragraph relates to applications for small scale rural offices or other small scale rural development, which is not under consideration in this appeal. None of these matters alters my findings on the main issue above.

Other Considerations and Planning Balance

22. I have had regard to all of the representations submitted by interested parties. I have taken account of the submitted Clarification Statement Regarding Inaccurate Public Reporting, which references a Facebook post.
23. Although the proposed development would, in principle, make an effective use of land, taking account of my findings on the main issue above, the proposed development would not comply with paragraph 129 e) of the Framework which provides that, amongst other things, planning decisions should support development that makes efficient use of land, taking into account the importance of securing well-designed places.
24. The proposed development would facilitate a technical hobby, which can be beneficial for practitioners' well-being. I recognise that amateur radio is a world-wide community, which facilitates education, technical experimentation, and public service. Interested parties have referred to the benefit of skills development in electronics, engineering, and communications. The proposed development would thereby contribute towards the social objective of sustainable development, to

support strong, vibrant, and healthy communities (as set out in paragraph 8 b) of the Framework).

25. I acknowledge the public service which amateur radio has historically provided, including during the Second World War. Interested parties have also referred to a more recent example of an amateur radio operator assisting in an emergency in a remote part of Exmoor, many miles away from the operator's location. The appellant is a licensed Amateur Radio Operator (regulated by Ofcom), a member of the Radio Society of Great Britain (RSGB), and a member of the Radio Amateurs' Emergency Network (RAYNET). The appellant has stated that they are the only RAYNET member in Chippenham. The proposed development would support high quality communications, which is encouraged by the Framework.
26. I am mindful that, as a hobby, the amount of time dedicated to the pursuit would likely be much less than for a full-time occupation. Moreover, only a single detailed example has been provided of amateur radio operators assisting in an emergency in recent times. The evidence before me does not demonstrate that the proposed development would facilitate significant public benefits in terms of its contribution towards community resilience, including emergency communications capability. In totality, the benefits of the proposed development amount to no more than moderate weight in its favour.
27. Paragraph 131 of the Framework provides that, amongst other things, the creation of high quality places is fundamental to what the planning and development process should achieve. The proposed development would conflict with this fundamental requirement. Of note, paragraph 139 of the Framework provides that, amongst other things, development that is not well-designed should be refused. The benefits of the proposed development would not be sufficient to outweigh the significant weight given to the conflict with Core Policy 57 of the Core Strategy cited on the main issue above. Overall, none of the relevant material considerations indicate that this appeal should be decided otherwise than in accordance with the development plan.

Conclusion

28. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR