



Appeal Decision

Site visit made on 12 February 2026

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2026

Appeal Ref: APP/U5360/W/25/3373451

The Frames, 1 Phipp Street, London EC2A 4PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Freshwave Facilities Limited against the decision of the Council of the London Borough of Hackney.
 - The application Ref is 2025/0247.
 - The development proposed is the proposed installation of a telecommunications base station comprising of 3 no. antennas (top height of antennas 25.00m on 6m high support poles) together with 3 no cabinets, 1 no meter cabinet and ancillary development thereto on the rooftop of Workspace The Frames for enhanced service provision.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal complies with the conditions, limitations or restrictions applicable to enable it to be permitted development.

Reasons

3. The appeal relates to a modern four storey detached building which is located within the South Shoreditch Conservation Area. The building on which the equipment would be installed has a 12.20m height to its lower section while its recessed upper section sits higher and affords the building a total height of 19m.
4. Schedule 2, Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) provides for permitted development rights for the installation of electronic communications apparatus subject to a range of restrictions.
5. The equipment proposed would be placed on the higher part of the building. It would include the provision of antennas which would measure 2m from top to bottom. The top of the proposed antennas would be set at 25m at their highest point, 6m above the highest part of the building.
6. Schedule 2, Part 16 Class A, A.1 (2) (f) (ii) in relation to building based apparatus notes that development is not permitted within a Conservation Area if the height of any antenna would exceed 3 metres. The maximum height of the antennas here would be 6m above the building.

7. The evidence before me therefore indicates that the proposal would not meet the conditions, limitations or restrictions applicable to enable it to be permitted development under Schedule 2, Part 16 Class A, A.1 (2) (f) (ii) of the GPDO.
8. The apparatus would not however fail to meet the criteria set out in Schedule 2, Part 16 Class A, A.1 (2) (c) given that the height of the building is 15m or greater. That is immaterial however to my decision given the failure to comply with the section detailed above.

Conclusion

9. For the reasons given above, the appeal should be dismissed.

T Burnham

INSPECTOR