



Appeal Decisions

Site visit made on 10 April 2026

by **T C King BA(Hons), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 July 2026

Appeal A Ref: APP/E5900/W/25/3374193

Bow Business Centre, Old Poplar Hall, 153 - 159 Bow Road, London, E3 2SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Icon Tower Infrastructure Ltd. against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/00587.
 - The development proposed is the installation of 3no. separate steel support structures on 3no. corners of the host building. Each support structure will accommodate 6no. antennas and 1no. transmission dish, plus ancillary development thereto.
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Appeal B Ref: APP/E5900/Y/25/3374195

Bow Business Centre, Old Poplar Town Hall, 153 - 159 Bow Road, London, E3 2SE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Icon Tower Infrastructure Ltd. against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/25/00588.
 - The works proposed are the installation of 3no. separate steel support structures on 3no. corners of the host building. Each support structure will accommodate 6no. antennas and 1no. transmission dish, plus ancillary development thereto
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Decisions

1. Appeals A and B are allowed, and both planning permission and listed building consent are granted for the installation of 3 no.separate steel support structures on 3 no.corners of the host building. Each support structure will accommodate 6 no. antennas and 1 no. transmission dish, plus ancillary development thereto at Bow Business Centre, Old Poplar Town Hall, 153-159 Bow Road, London E3 2SE, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The appellant, Icon Tower, is a UK company that is an official Electronic Communications Code Operator, and who provide independent wireless infrastructure sites and equipment. The appellant says that the UK's four Mobile Network Operators (MNO), along with other smaller networks all use Icon Tower's infrastructure to deliver a wide variety of services ranging from 2G through to 5G mobile coverage.

3. As the appeals relate to a listed building, which is also situated within a conservation area I have had special regard to sections (s) 16(2, and), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA).
4. The two appeals concern the same development, albeit under different, but complementary legislation, I shall deal with both appeals together in my reasoning. In reaching my decision I have had regard to the statutory duties under sections 16(2) and 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The appeal site and the Proposal

5. The Bow Centre is a five-storey, Grade II listed building. Fronting the busy Bow Road (the A11) the building's return frontage wraps around, at an acute angle, on to Fairfield Road. The building was listed in 2009, although an extensive, two-storey roof-top addition which was erected in the 1990's does not form part of the listing.
6. Since 2006, when telecommunications apparatus was first installed on the building's roof, there have been a series of successful applications for both planning permission and listed building consent to add to and progressively upgrade the apparatus.
7. A recent roof-top fire at the premises meant that all the previously deployed equipment had to be removed. As an interim measure, a 36m high scaffolding structure with the requisite antennae has been erected in the car park area to the rear of the building.
8. The proposed apparatus would be installed on three steel support-frames at three corners of the building's roof-top; the largest being positioned above the building at the junction of Bow and Fairfield Roads. The steel frames which would each accommodate six antennae and one transmission dish, would be in similar positions to where the MNO equipment was positioned before the fire.

Main Issues

9. The main issues are:
 - 1) whether the proposed installation would preserve the Grade II listed building and any of the features of special architectural or historic interest that it possesses; and
 - 2) the effect of the proposal on the character and appearance of the area, with particular regard to the conservation area location.

Reasons

Significance of listing and Fairfield Conservation Area

10. The building, which was built in 1937, was originally used as Poplar Town Hall. In terms of special architectural interest it was the first town hall built on the then pure modern lines. It has continuous bands of glazing and a curved bow front, and was built with good quality materials including brick, terrazzo, green Swedish marble and stone, along with bronze doors, fixed lettering and long rows of horizontal windows.

11. As mentioned, the roof extension is of no such interest and, subsequent to its erection in the late 1990s, its existence might have been the reason why the Council first considered the building's roof-top as appropriate for telecommunications equipment.
12. The character of the Fairfield Conservation Area (FCA) is shaped by commercial establishments along Bow Road, residential terraces surrounding Grove Hall Park and industrial activity near the railway. Its significance derives from its historical role in Bow's development since the eighteenth century, as well as the architectural quality of its two-storey terraces and key landmarks such as St Mary Bow Church, the local former Bryant and May factory, and the Bow Bus Garage.
13. It is hard, though, given the distance that the FCA extends along Bow Road with its variety of commercial properties, and the considerable height of the Bow business centre building, that the reinstallation of the telecommunications apparatus would have anything more than a neutral effect on the FCA. On this basis, and given the building's history of a series of upgrades since the initial approval in 2006, I am satisfied that neither the character nor the appearance of the FCA would be harmed by the proposed installation and, accordingly, both would be preserved.

Effects of the proposal on the building

14. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCAA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
15. Paragraph 212 of the NPPF advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification.
16. Considering that the building has been utilised for telecommunications installations for nearly twenty years - some three years before the building was listed – it is difficult to understand why the Council, after many subsequent approvals, have now altered its stance and consider that there would now be harm to the setting of the listed building, and also to the FC, due to what it terms as an obtrusive and discordant addition. Indeed, the Council says, in its case report, that the proposal seeks only minor upgrades and replacement of the existing telecommunication apparatus on both the roof of the building and within the equipment room.
17. Moreover, in previously granting both listed building consent and planning permission under PA/20/01936/NC and PA/20/02531/NC, respectively, I note that the Council's conservation officer had concerns as to the then upgrade but the case reports state:

'...it is considered that that the scale of the proposal structures are sensitive to the listed building and the works proposed would have a limited impact to the character of the listed building or the special character of the conservation area.'
18. The Council now says that the current objection arises not from the presence of the apparatus in principle, but from the siting, scale and bulk of the units now proposed.

19. One matter that the Council raises is that the elevational drawings which accompanied planning application ref PA/20/02531/NC, approved in March 2021, had annotations that indicated that the main roof level stood at 24m above ground level, and the maximum height of the then proposed antennae to be 28.8m above ground level. Now, drawing no 304, submitted alongside the applications the subject of the current appeals, indicates that the main roof level actually stands 26.02m above ground level, meaning that the top of the now proposed antennae would reach a total height 30.02m. Nonetheless, although the antennae would sit above the height of the building's seven storeys, in this context, the additional height would only be marginal and, moreover, virtually imperceptible from street level.
20. It is unclear how the discrepancy in the drawings occurred, but it would appear that the now revised upper measurement is correct.
21. I acknowledge the building's listing and note its historic and architectural interest and significance, but it would seem that the original form and design has been somewhat corrupted, and not wholly from the roof extension. Further, the intended installation, with the steel frames at three distinct points, would represent an orderly arrangement to minimise any adverse visual impact.
22. Whilst I have found that the current proposal would have no appreciable effect on the FCA the installation does comprise of certain unsympathetic features and I conclude that there would still be some resultant harm to the appearance of the listed building. This would, though, be largely mitigated for the reasons I have set out above. Given all this, for the purposes of the Framework, I find the harm to be less than substantial, but at the lower range of such.
23. Nonetheless, I must still afford this considerable importance and weight.

Public Benefits and Planning Balance

24. The advice within the Framework, set out in paragraph 215, is that, firstly, it needs to be identified whether there would be harm; which there is in this case. The magnitude of that harm should then be assessed. Here, for the purposes of the Framework, I consider the harm to be 'less than substantial'. The second stage is whether any identified public benefits weigh against this harm. In other words, the primary objective and starting point is to preserve the building's special interest, and a robust argument is required for any departure from that principle.
25. Turning to the discrepancy I have highlighted regarding the 2020 and 2025 drawings, and in the absence of a full explanation in the appellant's representations as to why this happened it should be borne in mind that the Council accepted the submitted drawings on both occasions when validating the applications. I consider also that it would be unreasonably harsh to disadvantage the appellant so significantly due to the roof-top fire. Further, in the face of the previous equipment's removal, it would not be impossible to replace like for like without the need for new applications but, as the intended new installation would go beyond this, the appellant was correct to apply for both planning permission and listed building consent.
26. As regards public benefits, these should flow from the development and could be anything that delivers economic, social or environmental objectives. They should also be of a nature or scale to be of benefit to the public at large.

27. Paragraph 119 of the Framework says that high quality and reliable communications infrastructure is essential for economic growth and social well-being. It continues that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections
28. The appellant says that the proposed installation is the most viable solution which would consolidate the use of the roof-top to facilitate the need within the local areas for future years so as to meet the coverage requirements of the MNOs, in providing 5G, which delivers significantly faster speeds, and would allow for new private investment.
29. The Framework also says that installations should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged, and the Bow Building, so to speak, fits the bill here.
30. Taking all factors into account I am satisfied that there is a clear and convincing justification to outweigh the considerable importance and weight I have attached to preserving this listed heritage asset, by the public benefits arising from the proposal.

Other Matters,

31. An interested party has objected to the proposal on health grounds. Radio waves emitted by mobile 'phone masts are a form of low energy, non-ionising radiation. In the UK, all operators must comply with strict exposure limits set by the International commission on non-ionising radiation protection (ICNARP) to ensure radio emissions remain far below the threshold where they could cause harmful heating of body tissue. Accordingly, the proposal would not result in any health risk.

Conditions

32. I have given due regard to the conditions suggested by the Council and for obvious reasons, on both successful appeals, I have imposed the statutory time limit condition along with the standard condition requiring that the scheme be implemented in accordance with the approved plans. However, the 'noise from plant' and 'restrictions on construction activities' conditions are controllable under different legislation and, therefore, are neither necessary nor reasonable given the particular circumstances.
33. In the interests of visual amenity, and to ensure a satisfactory standard of development, I have, though, imposed a condition on the planning permission granted under Appeal A requiring for the existing scaffolding structure to be removed from the site at the point when the new equipment becomes operable.

Conclusions

34. For the above reasons, and having had regard to all matters raised, I am satisfied that the proposal does not conflict with policies D4 or HC1 of the London Plan, policies S.DH1 and S.DH3 of the Tower Hamlets Local Plan 2031, nor the development plan as a whole. In addition, I have found that the proposal would preserve both the character and appearance of the FCA, and I have, therefore, concluded that the proposal is contrary to the FCA's appraisal and management

guidelines. Finally, I have also concluded that the proposed scheme is consistent with the relevant advice within the Framework.

35. Accordingly, the appeals are allowed.

T C King

INSPECTOR

Schedule of Conditions

Appeal A

- 1) The development shall begin no later than three years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved plans/drawings: Site Location Plan; Rev A, Site Location Plan 2, Rev A; Planning Drawings, Rev A: Existing Site Layout (Pre-Fire Damage); Existing Site Layout (Post-Fire Damage); Existing Elevation Plan (Pre-Fire Damage); Existing Elevation Plan (Post-Fire Damage); Existing Elevation Plan (Pre-Fire Damage); Existing Elevation Plan 2 (Post-Fire Damage); Proposed Site Layout; Proposed Elevation Plan; Proposed Elevation Plan 2.
- 3) Upon the approved installation being complete, and made operable the temporary scaffolding structure, shown on approved drawing no 302, shall be removed in its entirety from the site.

Appeal B

- 1) The development shall begin no later than three years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved plans/drawings: Site Location Plan; Rev A, Site Location Plan 2, Rev A; Planning Drawings, Rev A: Existing Site Layout (Pre-Fire Damage); Existing Site Layout (Post-Fire Damage); Existing Elevation Plan (Pre-Fire Damage); Existing Elevation Plan (Post-Fire Damage); Existing Elevation Plan (Pre-Fire Damage); Existing Elevation Plan 2 (Post-Fire Damage); Proposed Site Layout; Proposed Elevation Plan; Proposed Elevation Plan 2.