



Appeal Decision

Site visit made on 31 October 2025

by **S Poole BA(Hons) DipArch MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/K5600/W/25/3371695

Flat 7, 50 Hans Place, London SW1X 0LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Tracey Pritchett-Randall against the decision of the Council of the Royal Borough of Kensington and Chelsea.
 - The application Ref is PP/24/07870.
 - The development proposed is described as “*Amendments to the approved scheme PP/24/04818 through the addition of a private glass lift to the centre lightwell of 50 Hans Place, serving the ground floor up to 3rd floor*”.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Ms Tracey Pritchett-Randall against the Council of the Royal Borough of Kensington and Chelsea, and this is the subject of a separate Decision.

Procedural Matters

3. The appeal is accompanied by 3 additional drawings. As these show aspects of the proposal in greater detail, as opposed to amending the proposal, I am satisfied that taking these drawings into account would not prejudice the interests of interested parties.

Main Issues

4. The main issues are:
 - (i) the effect of the proposal on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the Hans Town Conservation Area, and
 - (ii) the effect of the proposal on the living conditions of the occupiers of 50 Hans Place, with particular regard to natural light, outlook, light pollution, privacy, noise and vibration.

Reasons

Character and Appearance

5. The appeal site is occupied by a handsome five storey mid-terrace residential building with a basement and mansard. There is a 3-storey element to the rear and a lightwell between these two elements. The building has been split into flats. The appeal proposal relates to Flat 7 which occupies the third, fourth and fifth floors.
6. The property is situated within the Hans Town Conservation Area (CA) and has been identified as a building that positively contributes to the Area's appearance. The significance of the CA is derived from its architectural diversity and distinct phases of evolution from the early eighteenth century, through to the late Georgian Hans Town development; the early and mid-nineteenth century incremental developments, culminating in the comprehensive redevelopment towards the end of the 19th century and commercial redevelopment of the early 20th century. The Council's draft Conservation Area Appraisal (2018) notes that the rears of some terraced houses are a key feature of the CA where the original form or historic uniformity remains.
7. To the front of No. 50 there is the Hans Place Registered Park and Garden and to the rear there is a late 20th century office building. The property to one side, No. 51-52 Hans Place, comprises apartments and was undergoing renovation at the time of my visit. No. 49, on the other side, is a family dwelling with rear windows neighbouring the lightwell.
8. Flat 7 has been the subject of multiple planning applications over recent years culminating in the approval of a scheme in October 2024¹ involving additions at roof level and at third and fourth floor levels to the rear. I consider there to be a high likelihood that this scheme would be constructed should this appeal be dismissed and therefore view the approved scheme as a fall-back position to which significant weight must be attached.
9. The appeal proposal would replicate the fall-back scheme in respect of the extensions and alterations to the appeal property. In addition, a glass lift is now proposed within the lightwell that would link the ground floor entrance lobby to Flat 7 on the third floor. This would operate on a hydraulic mechanism with a telescopic pole fixed into the base of the lightwell that would extend upwards when the lift is used to access Flat 7. Whilst not shown on the proposed elevations submitted with the planning application, it is clear from the additional material provided that a pair of tracks would be attached to the walls of the lightwell to guide the lift. The fenestration at ground and third floor levels would be replaced with protruding glazed elements incorporating doors.
10. The lightwell is not visible from the public realm and the rear of No. 50 does not make a meaningful contribution to the overall character and appearance of the CA, a fact that has been borne out to a large degree by the recent planning permission for 2 additional storeys at the rear. Whilst glimpsed views of the lift may be possible from the office building to the rear when the lift is at the third floor, there would be no material harm in this respect, particularly in the context of the permitted substantial rear additions.

¹ PP/24/04818

11. The lightwell is a relatively utilitarian space that provides light to surrounding rooms via frosted glass windows and is occupied by downpipes attached to the walls. The neighbouring part of No. 49 is similarly utilitarian. The lift and associated elements would be alien elements that would add clutter to the lightwell. However, given the enclosed nature of this space and its limited visibility from surrounding dwellings I am satisfied that they would not materially harm the appearance of No. 50 or No. 49.
12. For these reasons, I conclude that the proposal would not have an unacceptable effect on the character and appearance of the host building and would preserve the appearance of the CA. It therefore accords with Policies CD1, CD2, CD3, CD4, CD10 and CD13 of the New Local Plan Review 2024 (NLP), which require development to respect existing context, preserve or enhance the character or appearance and significance of conservation areas, and be appropriately designed to be in character with the existing building. It is also in line with the aims of the National Planning Policy Framework (2024) in these respects.

Living Conditions

13. The application drawings indicate that the frosted glass windows facing the lightwell provide natural light to a mix of bedrooms, bathrooms and kitchens within the lower floor flats, as well as shared circulation space. The lower ground floor flat includes a bedroom that gains its sole source of natural light via a frosted window facing the lightwell. I note that natural light reaching this window is currently extremely limited due to the depth of the lightwell.
14. The proposal would include substantial rear additions at third and fourth floor levels to the rear and a projecting addition at ground floor level immediately above the lower ground floor bedroom window. In addition, it is proposed that the lift would be stored at ground floor level when not in use. The combined effect of the additions and lift parking would be to further deprive the lower ground floor bedroom of daylight, making a poor living environment markedly worse. Any degree of worsening is harmful and unacceptable in this situation.
15. When in operation, the lift would pass directly in front of a window serving a bathroom in Flat 4 and a large bay window serving a bedroom in Flat 6. The guide rails would be inches from the latter. Mechanical apparatus in such close vicinity to a bedroom would inevitably lead to some level of disturbance to the occupiers of this room, particularly during summer months when it is a reasonable expectation to be able to open windows at night.
16. The righthand guide rail would be fixed to the lightwell wall close to this bedroom using brackets with “anti-vibration mountings”. Whilst this may reduce vibration levels, it is not clear from the evidence before me that it would be sufficient to prevent disturbance to occupiers of the lower-level flats, particularly Flat 6.
17. The appeal drawings indicate that the sides of the lift cabin would be formed of obscured glass. The accompanying information refers to bespoke lighting within the ceiling of the lift cabin, full details of which are not before me. The lift would be located within a dark space and would inevitably be used during hours of darkness. Whilst I note that the lightwell may be partly illuminated by light spilling from the windows facing it, an illuminated lift cabin slowly passing close to the window serving the bedroom in Flat 6 would exacerbate the levels of disturbance and discombobulation caused by noise and vibration to people using this room.

18. The Appellant's Planning and Heritage Statement states that the machine room for the lift would be located in a "sound proofed enclosure" in the front vaults of 50 Hans Place, whereas the Final Comments state that the mechanics of the lift would be housed in a "sound proof cupboard away from the lift in a thermally insulated and sound proofed mechanical space". This facility is not shown on the application drawings, so its relationship to neighbouring dwellings is not known. In addition, there is no reference to the machine room in the Environmental Noise Survey and Plant Noise Assessment Report.
19. The appellant's need for the lift is noted, as is the likely level of usage of the lift by the appellant. However, permanent planning permission is sought, and therefore the potential impacts resulting from the future occupation of Flat 7 requires consideration. The proposal would result in substantial additions to the dwelling, resulting in a part 4-storey and part 2-storey penthouse, with a floor area of about 264sqm, together with terraces at fourth floor and roof levels. The property would therefore be capable of providing accommodation for a large family, with scope for entertaining guests. As such, there is a high likelihood that the future usage of the lift would far exceed the predicted levels.
20. Due to the siting, design and operation of the lift, combined with the siting and bulk of the proposed additions, and the complete absence of any information regarding the machine room, I conclude that the proposal would have an unacceptable effect on the living conditions of the occupiers of Flats 1 and 6 at 50 Hans Place. Consequently, the proposal fails to comply with NLP Policies CD9 and GB10, which require all development to ensure good living conditions, including in respect of standards of daylight, noise, vibration and light pollution.
21. The Council's reason for refusal refers to impacts on outlook and privacy. As the windows facing the lightwell comprise frosted glass, there is no meaningful outlook from the rooms served by these windows, and in any event, the proposed lift would be parked at ground floor level most of the time. I am satisfied, therefore, that no unacceptable effects would occur in this respect. In relation to privacy, whilst I consider that an obscured glass lift passing by residential windows would feel wholly obtrusive to occupiers of nearby rooms, the combination of frosted glazed windows and the obscured glazing to the sides of the lift cabin would prevent actual privacy impacts occurring.

Other Matters

22. Whilst the application was accompanied by letters of support, many of which are dated 2023, the information before me indicates that there were no responses following the submission of the application. As such, I afford limited weight to the support expressed. I fully recognise that the proposed lift would be of great benefit to present and future occupiers of Flat 7. This private benefit does not, however, outweigh the clear harm identified above.

Conclusion

23. For the reasons set out under the second main issue, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR