



**Lake District  
National Park**

**5**

**Report from the Head of Development Management to the  
Development Control Committee**

Application number:	<b>7/2025/5367</b>
Application type:	Confirmation of compliance with condition attached to planning permission
Applicant:	Inn Collection Group
Location:	The Swan Hotel, Keswick Road, Grasmere, LA22 9RF
Grid reference:	334016 508317
Proposal:	Approval of details reserved by condition 9 (external lighting) on planning permission 7/2018/5182 - proposal to provide a new staff accommodation block with relevant landscaping, bins and bikes storage in the northern part of the Macdonald Swan Hotel site
Report prepared by:	Jackie Ratcliffe, Area Planner
Report agreed by:	Andrew Smith, Head of Development Management
Recommendation:	APPROVE unconditionally

**1 About this report**

- 1.1 The case planner has prepared this report, assessment and recommendation taking into account our policies (known as the Development Plan), written representations we have received, and any other material considerations.
- 1.2 Material considerations are things that are relevant to our decision making and which we are able to take into account – for example site specific factors, or Government planning policy (the National Planning Policy Framework) and Government planning guidance (the National Planning Practice Guidance).

- 1.3 The Development Control Committee will determine the application at its meeting having regard to the provisions of the Development Plan, representations we have received, and all other material considerations, following a verbal and visual summary of the application by the case planner and, where applicable, after hearing any verbal representations made in accordance with our Policy for Public Speaking at Meetings.
- 1.4 Most applications are decided under powers delegated to the Head of Development Management. A small number of significant or more contentious applications are considered by our Development Control Committee as set out in our Scheme of Delegation.

## **2 Background and proposals**

- 2.1 This application is being reported to the Committee because Committee has previously refused lighting details for the staff accommodation building (7/2024/5601 – DCC 7 May 2025 refers).
- 2.2 The application is seeking approval of external lighting details reserved by condition 9 on planning permission 7/2018/5182, which was an application to provide a new staff accommodation block with landscaping, bins and bikes storage in the northern part of the Swan Hotel site, at Grasmere. In this report planning permission 7/2018/5182 is referred to as the 'original planning permission'.
- 2.3 The background to the application is lengthy. Details of external lighting for the ground floor of the building were approved in July 2023 (reference 7/2023/5381). That application approved the following lighting details - "*One Light Data Sheet – Product 67430 (restricted to 2200 Kelvins)*". These are small square wall mounted light units measuring 197mm x 197mm, which project 52 mm from the wall of the building. The light is directed downwards. There are no restrictions on the use of these lights, and they are permanently on in hours of darkness. These lights are in situ.
- 2.4 A non-material amendment application (7/2023/5376) was considered at the same time as the confirmation of compliance condition detailed above. This approved a revised drawing (C595SHG - 07101 Revision PO6 - Proposed Elevations), which showed the external lighting positions at ground floor level only, six on each of the north and south elevations.
- 2.5 The external ground floor lights are therefore approved. However, at the same time as the ground floor lights were installed additional lighting was also added to the soffits and walls at first floor level over the walkways and at the stairs at each end of the building. This lighting was considered unacceptable and a breach of condition notice (ref. E/2021/0356) was issued on 19 September 2024. Following the breach of condition notice the unauthorised lighting was removed complying with the breach of condition notice. However different lighting was then installed, again without prior approval under the condition.

- 2.6 Application 7/2024/5601 was submitted to seek approval of this new lighting. The application was considered by the Committee on 7 May 2025. Committee refused the application for the following reasons:

*“The site lies within an intrinsically dark landscape, located on the edge of the settlement where it merges with more open areas.*

*The brightness and intensity of the wall and stair lights are prominent, intrusive and have not been demonstrated to be necessary in this location. The details put forward, and the lighting already installed, are harmful to the wider landscape and the amenities of adjacent residents for these reasons.*

*The proposals are therefore contrary to Policies 01 (National and international significance of the Lake District), 05 (Protecting the spectacular Landscape) and 06 (Design and development) of the Lake District National Park Local Plan 2020 – 2035, and the guidance as set out in the Good Lighting Technical Advice Note (November 2023).”*

- 2.7 Subsequent to the refusal of this application a second Breach of Condition Notice was served on 16 May 2025. The first notice served had been complied with, but as new lights were installed without agreement, a new notice was needed.
- 2.8 This application now proposes an amended lighting scheme, which consists of the following:
- Light Unit Details – round, half cowl, 180mm diameter with diffuser glass and fitted 500 mm above the terrace floor
  - Microwave sensor unit details – which allow each light to be triggered individually and be on for only five seconds before going off again.
  - Bulb details – amber glass tint, 1800 Kelvins colour temperature
  - First floor lighting plans
  - Fire exit signs (one on each corner of the building) which are set at ‘non-maintained’, so they will only be illuminated if there is a fire activation for means of escape, ie. if the fire alarm is activated
- 2.9 Part of this lighting scheme has been installed on one quarter of the building, at the Applicant's own risk. The applicant told us of their intention to do this to allow an assessment based on the current lighting situation on the site, and this will be illustrated at the Committee meeting.

### **3 Representations**

- 3.1 Lakes Parish Council: No comments received
- 3.2 Friends of the Lake District (FoLD): The application contains specification sheets for the proposed sensor, bulkheads and bulbs which will be used for the lighting on the first-floor terrace area and stairs. The bulkheads will be placed on the internal wall of the stairs and external terrace however there are no details regarding the height they will be positioned at. Their impact is likely to be greater the closer they are to the top of the wall. Further details

should be submitted with this respect, particularly following the Committee's previous comments regarding lighting up the opposite walls.

**Sensor:** The specification submitted states that the lights will be off during ambient light, after which they will come on if motion is detected. The document states that ambient light can be set at between 2 and 50 lux. This setting can also be disabled. The applicant should clarify which level the sensor will be set at, however we recommend that it is set at 5 lux. The document also notes that once the motion sensor has been triggered, there are a number of settings available to determine when the light goes back off. This ranges from 5 seconds to 30 minutes. The applicant should clarify which setting will be used.

**Bulkhead:** 20 bulkheads are proposed. The design is "hooded" however experience shows that these still emit a lot of light outwards and upwards. We recommend that full cut off lights are used instead with a downward directed beam below the 75 degree angle.

**Bulbs:** The proposed bulbs to be used are 80 lumens and 1800 kelvins. This aligns with the Cumbria Good Lighting Technical Advice Note and again is welcomed.

**Fire Exit Signs:** It appears from the drawings that 4 external fire exit signs are proposed however no further details have been submitted regarding these. It is not clear whether these signs will be wall mounted or hanging and whether or not they will be illuminated. Further details should be provided in this respect.

**Summary:** The additional information requested above will allow for the assessment on the impacts on neighbouring residents and biodiversity, the Lake District National Park, English Lake District World Heritage Site and the setting of the Swan Hotel Grade II Listed Building.

- 3.3 One representation has been received from an adjacent property. It states that as with the previous application, this new application does not clearly state the completed output of lighting that will be produced.

The writers of the representation state they would have thought the applicant should, at this stage include a statement of how this equipment is to be used - the final effect to be produced. The writer of the representation also consider that:

1. When the lighting comes on it is not to be observed from the road - a main point raised at the last Committee meeting.
2. The level of brightness that is produced will be soft lighting.
3. Light spillage upwards on the walls should be eradicated.
4. The sensor will trigger the lights only by people on the stairs/balcony and not by passing traffic, the wind/small animals eg cats.
5. The lights to be triggered individually on passing and not as a group (at present the building comes on in two halves).
6. The individual lights will not stay on longer than a few seconds in passing at any time.

The writer considers the above are not new points raised - the contractor said he had not been made aware of any of them on the day he tried to have a conversation on the matter. It is disappointing he has not at this stage been guided on the main criteria agreed at the last Council Planning Development meeting.

#### **4 Development plan policies and other relevant guidance**

- 4.1 The relevant Development Plan comprises:
- The Lake District National Park Local Plan 2020-2035
- 4.2 The following Lake District National Park Local Plan policies are relevant to this application:
- Policy 01: National and international significance of the Lake District
  - Policy 02: Spatial strategy
  - Policy 04: Biodiversity and geodiversity
  - Policy 05: Protecting the spectacular landscape
  - Policy 06: Design and development
  - Policy 07: Historic environment
- Design Code Supplementary Planning Document
- 4.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in the determination of planning applications.
- 4.4 The Cumbria Dark Skies Good Lighting Technical Advice Note offers guidance on lighting and is a material consideration.

#### **5 Main issues and assessment**

- 5.1 Planning permission was granted in 2018 for this staff accommodation block at the Swan Hotel, which has since been built out and occupied. The building is designed to provide a home to 26 people. Ground floor lighting has already been approved and installed. The only assessment to be made in this application is whether the lighting scheme now proposed at first floor level is acceptable. The main issues are:
- Character and appearance of the area
  - Residential amenity

##### Character and appearance of the area

- 5.2 Policy 01 (National and international significance of the Lake District) expects the extraordinary harmony and beauty of the Lake District landscape and its Special Qualities, including the attributes of Outstanding Universal Value, to be conserved and enhanced. This will be achieved by supporting development proposals which are consistent with National Park Purposes and Duty and expecting all development proposals to protect or enhance the authenticity, integrity and significance of the Lake District.

- 5.3 Policy 02 (Spatial strategy) expects, amongst other things, that development will be of a scale and nature appropriate to the character and function of the location in which it is proposed.
- 5.4 Policy 05 (Protecting the spectacular landscape) requires the highest level of protection for the landscape in assessing development proposals. This will be achieved by supporting development:
- That ensures the highest level of protection is given to the landscape, and
  - Where the type, design, scale and level of activity maintains local distinctiveness, sense of place, and where appropriate, tranquillity.
- 5.5 Policy 06 (Design and development) outlines that development must reinforce the importance of local character by having regard to scale, height, density, layout, appearance and materials.
- 5.6 Part of the proposed lighting system has now been installed on one quarter of the building in accordance with the specification as set out at paragraph 2.8 above. This will be illustrated at the meeting.
- 5.7 The representations received assert a lack of information regarding the lighting scheme and that a proper assessment cannot be made. Further clarification has been provided on the lighting scheme, and this is included in paragraph 2.8 above. However, part of the lighting is already in situ. I have visited the site at night and seen its impact. I am satisfied I have been able to make an informed assessment.
- 5.8 The application site is situated to the rear of the Swan Hotel and adjacent to the lane which passes the southeastern side of the hotel. There are dwellings immediately to the east of the site on the opposite side of the lane, and dwellings surround the site in wider arc from the northeast, north, round to the west of the site. It is within a wider area of development associated with the rural service centre of Grasmere.
- 5.9 Between the rear of the site and the lane with dwellings to the north are fields. From the lane here the site is seen over the fields, but in the context of the existing development that fronts the A591 road, which the hotel also fronts. As you get closer to the site, it is seen in the context of the other dwellings to the east side of the lane and the hotel itself. The lane is lit by sporadically positioned streetlamps, there being one at the road junction approximately 35 metres to the northeast of the site, adjacent to the garden of Elderbeck, and a second approximately 100 metres further up the lane to the north. The lighting at the staff accommodation block is therefore seen in the context of wider lighting from the hotel, other dwellings and streetlamps in the immediate area.
- 5.10 There are ground floor lights already approved and in situ on the building. These units are installed on all faces of building. They are constantly illuminated and shine light on the spaces around the building, with some wash onto the building wall.
- 5.11 The stair and first floor lights (the application lights) are mostly wall lights fitted to the internal face of the landing and stair walls. There are ceiling

mounted 'fire exit' units on each corner at the top of the stairs. When lit they illuminate the stairs and external landings. Because most of these lights are fitted to the internal walls of the landings and stairs, other than the ceiling units, you cannot see the lighting units directly from outside the building.

- 5.12 When Members considered the previous application (7/2024/5601) they were of the opinion that the site lies within an intrinsically dark landscape, located on the edge of the settlement where it merges with more open areas. They commented that:
- The brightness of the lights and the fact that it bounced off the white walls was of concern in amenity and landscape terms
  - It should be a warm light (not cold)
  - The level of lighting was unnecessary
  - Their ambition was that the lighting should not be visible from outside of the site
  - That they required a significantly lower level of lighting
- 5.13 The Applicant has sought to embrace the above comments. The main effect of the first floor and stair lights is now a low level warm amber light which illuminates the walkways as you walk past them, and then they go off. Each of these lights are on a separate sensor so that they individually only come on for 5 seconds after they have been triggered. The proposed bulbs to be used are 80 lumens/1800 kelvins and this aligns with the Cumbria Good Lighting Technical Advice Note. The fire exit signs (one on each corner of the building) whilst bright when they are on, will only be illuminated if the fire alarm is activated.
- 5.14 The area by the A591 is characterised by the Swan Hotel because of its position relative to the A591 and the adjacent lane. Turning off the A591 the hotel building tightly abuts the lane whilst its car park flanks the lane on the opposite side. Moving up the lane there is then a succession of hotel areas – car parking, buildings, service yards, and then finally the new staff block, followed by an open field. To the south of the lane meanwhile is the hotel car park followed by two dwellings before the junction. The combination of development and uses on both sides of the lower section of the lane gives this area the character of settlement, rather than open countryside (albeit forming part of the transition to countryside beyond).
- 5.15 At night the area by the A591 is well lit from the hotel. Moving up the lane lighting becomes more sporadic and there is illumination at various points. To the north of the lane this is from lights on the main hotel building, within the premises and from the approved lights on the staff block. To the south of the lane are exterior lights on dwellings (some constantly on, some appear PIR controlled), lights from within dwellings, and then lights from the streetlights. Lighting on the southern/eastern side of the lane is less frequent but extends for a greater distance along the lane than the lighting in the hotel premises.
- 5.16 At night this area is darker and less lit than the settlement centre. However, there is already lighting present from the approved lights at the Swan Hotel staff accommodation block, from the streetlights and from other dwellings. The first floor and stair lights as now proposed are not harmful or

unacceptable in this context. Whilst they add some additional light at first floor level this is on a building which is readily apparent at night because of its position, the ground floor external lights and light from inside the building shining out through the windows. Because most of the proposed lights are on the interior wall few of the units are directly visible. Most of the light is diffuse warm coloured amber lighting washed across the lower area of the stairs and walkway. The ceiling 'fire exit' lights can be directly seen but they would only be in use when the fire alarms are activated. The lighting does not introduce light onto a site which is currently unilluminated, rather it adds an acceptable amount of additional light into an area already illuminated at night.

- 5.17 The lighting as now proposed is considered to be very low key and in accordance with The Cumbria Dark Skies Good Lighting Technical Advice Note and does not result in any harmful or unacceptable change to the character and appearance of the area. The proposals are therefore in accordance with Local Plan Policies 01, 02, 05 and 06.

#### Residential amenity

- 5.18 The nearest dwellings to the site are located on the southeast side of the lane, opposite to the end elevation of the staff accommodation building. They are known as Bellfoot and Elderbeck.
- 5.19 Bellfoot is a single-storey dwelling, set at a lower level than the lane and it presents a blank gable elevation towards the site. There is mature tree planting to their rear garden area to the south adjacent to the lane. Their front car parking area and garage face the site. Given this relationship I am satisfied that the lighting does not have an unacceptable impact on the amenity of this property due to amount, intensity, light pollution or other adverse impacts.
- 5.20 Elderbeck is a partially two-storey dwelling with a garage and accommodation in an under-croft at the southern end, closest to the site. The lower ground floor level at the front contains the garage door and a window serving a dining room, and the upper main floor accommodation of this property contains the front door, three large windows serving two lounges and a bedroom and two small windows serving ensuites (according to plans for their extension granted planning permission under 7/20212/5585). We have not been able to verify this layout as the owners of this property have previously denied us entry to view the lighting from inside their property.
- 5.21 Elderbeck, at its closest point, is approximately 26 metres from the staff accommodation building. The lane divides the two properties and there is a large tree in the front corner of the garden of Elderbeck closest to the site.
- 5.22 Previous concerns raised by the owners of this property related to the intensity of the lighting installed (particularly the ceiling 'fire exit' units on the four corners of the building), the fact that it was on a PIR system meaning that they were constantly coming on and going off and a new spotlight on the bungalow within the hotel site.

- 5.23 In their representation on this amended scheme they maintain that the submission does not clearly state the completed output of lighting that will be produced. They consider that the application should have included a statement of how this equipment is to be used - the final effect to be produced. They reiterate what Members discussed and considered appropriate at the previous meeting.
- 5.24 In assessing the effect of the lighting on the residential amenities of this property it is important to understand the existing and approved levels of lighting in the immediate area. The baseline is the existing levels of lighting in the area, which includes:
- Lighting on the main hotel building
  - Exterior lights on dwellings in the vicinity (some constantly on, some appear PIR controlled)
  - Lights from within dwellings in the vicinity
  - Light from the two streetlights
  - The ground floor lights approved and in situ on the staff accommodation building
- 5.25 With regard to the intensity of the lighting, the bulbs to be used in the light units are 80 Lumens and 1800 Kelvins. This aligns with the Cumbria Good Lighting Technical Advice Note and is welcomed by FoLD. The type of light unit proposed is hooded and FoLD has advised that experience has showed that these still emit light outwards and upwards, but in this case the light is contained within the internal walkway. Further sensor setting details have also been submitted which show that each light is separately triggered and stays on for only 5 seconds at a time. The lighting TAN offers guidance on lighting and is a material consideration. However, we are in a better position to assess the lighting scheme as part of it has already been installed and we can make a judgement based on what we can actually see and experience. In this case, having seen the lights now proposed in the hours of darkness from the front boundary of Elderbeck and further afield, it is considered that the amended lighting is acceptable as we cannot identify any unacceptable amenity impacts from this external inspection.
- 5.26 I am satisfied that the lighting scheme as now amended would not have an unacceptable impact on amenity due to the amount of lighting, its intensity, light pollution or any other adverse impacts. A high standard of amenity for existing and future users of the building and neighbours would be maintained. The development is acceptable in terms of its impact on amenity and satisfies the requirements of Local Plan Policy 06, the Design Code SPD and the NPPF.

#### [Other lighting on site](#)

- 5.26 We have investigated the lighting on the manager's bungalow. There is no requirement under the planning permission for the refurbishment and alteration of that building regarding lighting (7/2021/5826). The lighting on the bungalow is not part of this application. It is not development, and we therefore have no control over it.

Intentional unauthorised development

- 5.28 Government policy as set out in the Ministerial Statement on green belt protection and intentional unauthorised development indicates that intentional unauthorised development is capable of being a material consideration in the planning process.
- 5.29 It seems more likely than not that the operator was aware the current lighting was unauthorised - it was installed as a result of a breach of condition notice having been issued against the previous installation. It is certainly the case that the current units were knowingly installed at risk. However, I do not consider this a reason to refuse approval of details which are otherwise acceptable. Enforcement aspects of the planning system are remedial, not punitive. Government's National Planning Practice Guidance (NPPG) states that:
- "local planning authorities should usually avoid taking formal enforcement action where:
- there is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;
  - development is acceptable on its planning merits and formal enforcement action would solely be to regularise the development;
  - in their assessment, the local planning authority consider that an application is the appropriate way forward to regularise the situation, for example, where planning conditions may need to be imposed."
- 5.30 As set out above I find the lighting installed acceptable on its planning merits. That it has already been installed does not change that.

## 6 Conclusion

- 6.1 The lighting scheme proposed and as partly implemented is considered to be acceptable and in compliance with Local Plan Policies 01, 02, 05 and 06. As the application is for the agreement of details there is no requirement for conditions. Providing the development is completed and maintained in accordance with the agreed details then the requirements of condition 9 on the original planning permission will be met.

**RECOMMENDATION: APPROVE unconditionally**

## Background papers

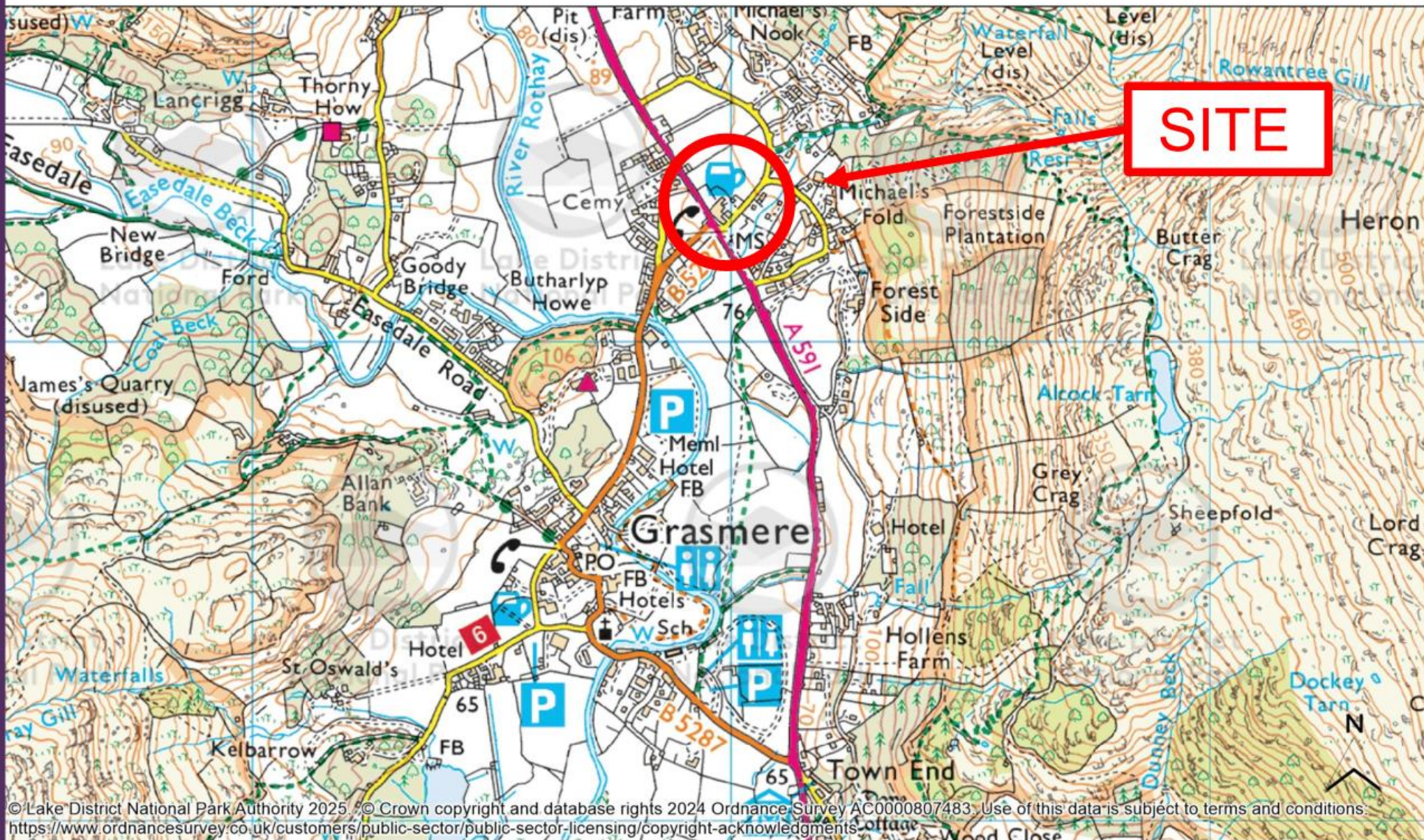
Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.

7/2025/5367

The Swan Hotel, Keswick Road, Grasmere,  
LA22 9RF

Approval of details reserved by condition 9  
(external lighting) on planning permission  
7/2018/5182 - New staff accommodation block  
in the northern part of the Macdonald Swan  
Hotel site

# Location Plan



Produced by Jackie Ratcliffe for Development Control Committee planning presentation only.

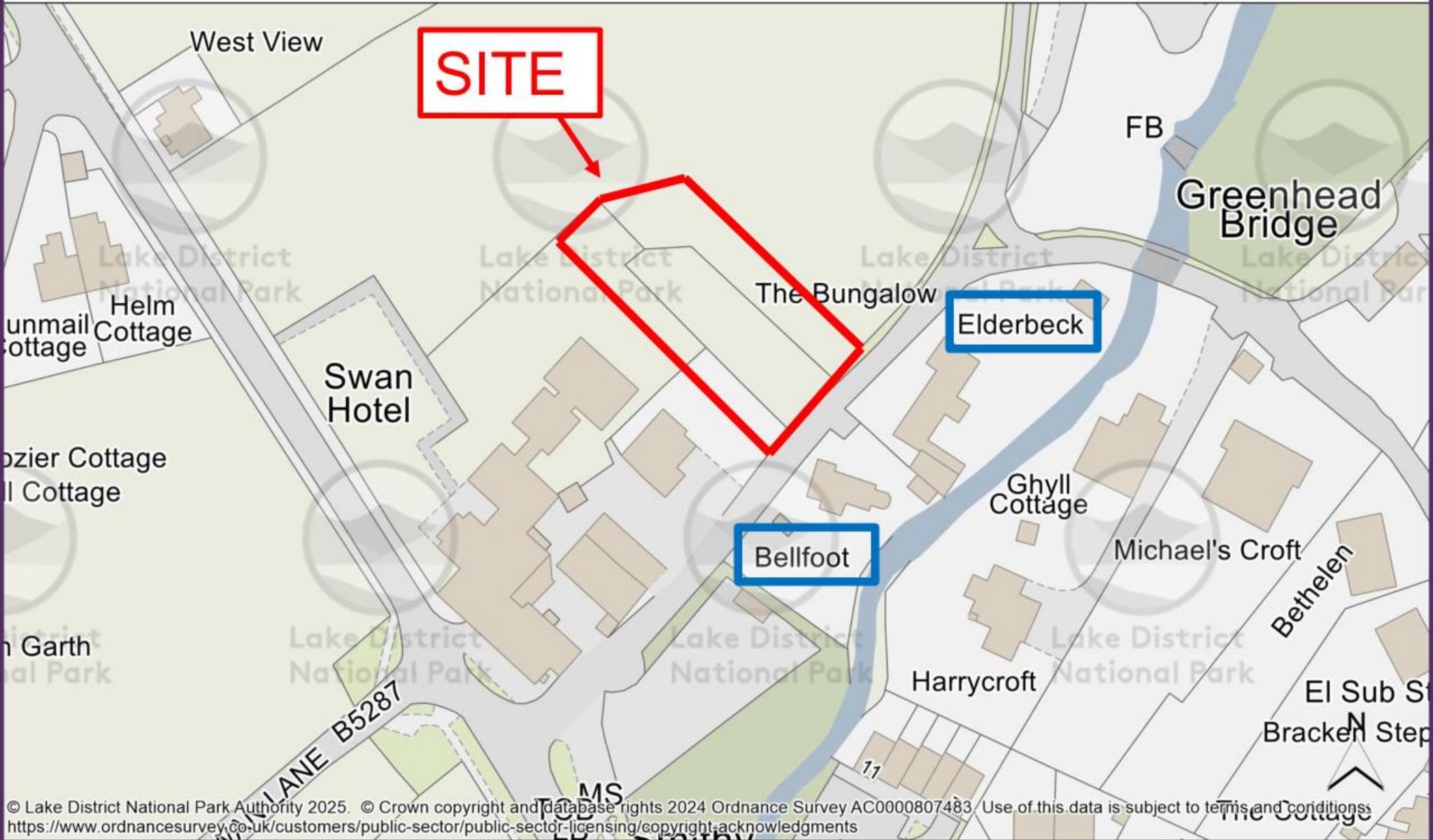
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# Aerial Photograph



# Block Plan



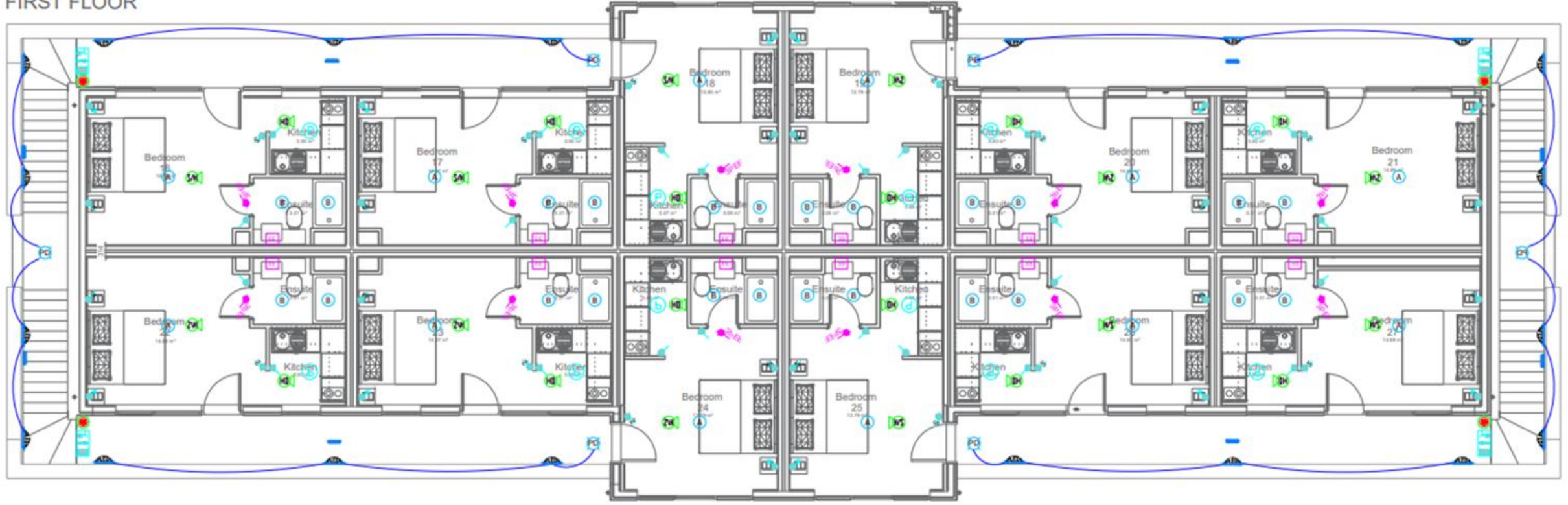
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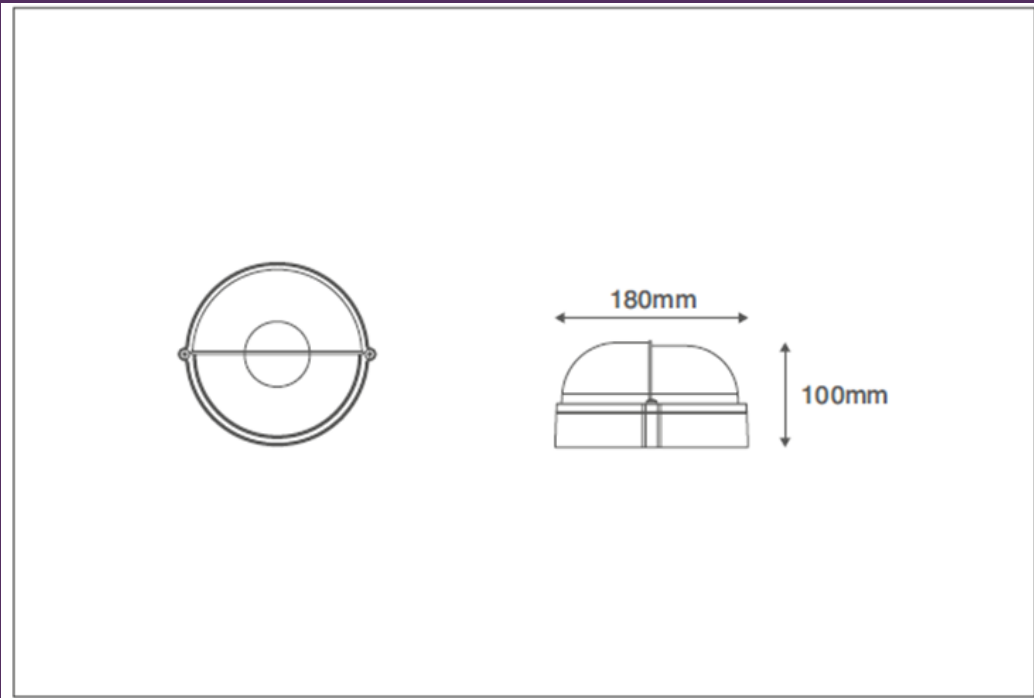
**Lake District**  
National Park Authority

FIRST FLOOR



# First Floor Lighting and Fire Alarm Plan

# Lighting Units:



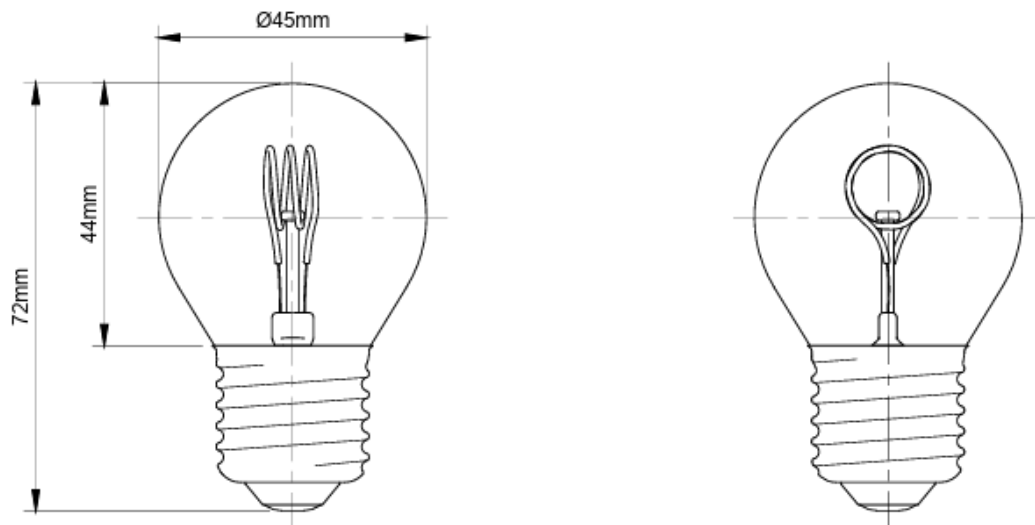
## Bulkhead Lights Sensor Settings:

- Each light to be triggered individually and be on for only 5 seconds before going off again (as opposed to half the building first floor walkways being lit at one time)

## Fire exit signs (one on each corner of the building)

- Set at 'non-maintained', so they will only be illuminated if there is a fire activation for means of escape, ie. if the fire alarm is activated

## 2W G45 LED E27 1800K Sunset White Golf Ball Bulb



### TECHNICAL SPECIFICATION

Standard(s)	BS EN62560
Fitting	E27
Bulb Type	G45 LED
Output	2W
Voltage Rating	AC200-240V
Amps	0.01A
Size	H 72mm x Dia. 45mm
Glass Tint	Amber
Colour Temp Kelvin	1800K (Sunset White)
Lumens	80LM
Lifetime	25,000 hrs.
Switch Cycles	30,000
Direct Start	Yes
Dimmable	Yes
Light Angle	360°
Ra - CRI	>94
Maximum Installation Altitude	2000m
Warranty	2 Years

Bulb details  
for  
bulkhead  
lights

NB: 1800 Kelvins/80  
Lumens – warm  
orange light

Photographs and videos of the lighting – Wider landscape



Video of  
lighting in  
operation  
using the  
walkway



Ground floor  
lighting as  
approved –  
taken from the  
lane over the  
field



Previously  
refused  
(7/2024/5601)  
first floor  
landing and  
stair lights on  
(east side) -  
taken from  
the lane over  
the field



Video of  
first floor  
landing and  
stair lights -  
taken from  
adjacent  
lane

NB – Refused lights  
on, on west side of  
the building

# Photographs of the Lighting – Residential Amenity



Light on Bungalow not  
part of this application

Lighting as  
approved –  
from front  
boundary of  
Elderbeck.  
NB – shadows  
on side  
elevation of  
the staff block  
from lighting  
on the other  
side of the  
lane.



Part lighting  
on – from  
front  
boundary of  
Elderbeck