

**South Lakeland District Council
Lake Administration Committee**

Friday, 25 January 2019

**Encroachment Application to replace an existing
boat house with a new boat house and jetty at
Hill of Oaks Windermere**

Portfolio: Not Applicable
Report from: Director People and Places
Report Author: Frankie Flannigan – Principal Lake and Parking Services Officer
Wards: Bowness & Levens;
Forward Plan: Not Applicable

1.0 Expected Outcome

1.1 That approval be given to an application for permission to replace the existing boathouse and jetty at Hill of Oaks Blakeholme Caravan Park.

2.0 Recommendation

2.1 It is recommended that the committee:-

2.1.1 Delegate the authority to the Director (People and Places) to grant permission, subject to the completion of a revised commercial encroachment agreement, for the following:-

- a. Replacement of the boathouse and wet dock.**
- b. Replacement of the wooden jetty**
- c. Installation of a glazed balustrade balcony**
- d. undertake dredging.**

3.0 Background and Proposals

3.1 Hill of Oaks is located on the Eastern shore which caters for touring caravan's motor homes and holiday home owners. There are also self-catering apartments and glamping pods.

3.2 During Storm Desmond the boathouse was badly damaged and was removed on health and safety grounds. The concrete blockwork foundation walls are all that remains of the structure. The boathouse and wet dock will consist of a concrete wet dock with a steel portal and timber frame.

3.3 The application provides details of the proposed boat house and wet dock this would cover an area of 82.3m² within the Council's registered title. The proposed wooden jetty would cover an area 22.8m² within the registered title. The glazed balustrade balcony would cover an area of 14.8m². These measurements are approximate and will be confirmed once a survey is carried out on completion.

- 3.4 An application for dredging has also been received which will require an area of 340m² to a depth of 34.7 AOD (Above Ordnance Datum). A temporary cofferdam will be installed to ensure compliancy with the Environment Agency's instructions.
- 3.5 The applicant has provided confirmation of the approved planning consents by the Lake District National Park Authority and a copy is attached for reference. Environmental Agency approval has also been received.

4.0 Consultation

- 4.1 Informal consultation has taken place with the Lake Wardens. The Principal Lake and Parking Services Officer is also in possession of all relevant permissions, risk assessments, method statements and plans.

5.0 Alternative Options

- 5.1 The Committee could decide to refuse the application, however this action is not recommended as there are no boundary disputes at the site, planning permission has been granted by the LDNPA and Environment Agency License has been issued.

6.0 Links to Council Priorities

- 6.1 Not Applicable

7.0 Implications

Financial, Resources and Procurement

- 7.1 An amendment to the existing commercial encroachment agreement will be required as the proposed construction will increase the extent of the licensed demise and increased rental will be achieved.

Human Resources

- 7.2 There are no staffing implications.

Legal

- 7.3 Legal Services will be required to complete the encroachment agreement following confirmation of the agreed terms by LSH.

Health, Social, Economic and Environmental

- 7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No
- 7.5 This is an individual application which has already been granted planning permission and Environment Agency Consent.

Equality and Diversity

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 This is an individual application which has already been granted planning permission and Environment Agency Consent. No equality or diversity implications arise out of this proposal.

Risk

Risk	Consequence	Controls required
That the committee refuse the application	It is likely this would be challenged by the	Approve the construction of the works detailed by the Principal Lake and

Risk	Consequence	Controls required
	applicant	Parking Services Officer who is satisfied with the application that has been submitted

Contact Officers

Report Author- Frankie Flannigan, Principal Lake and Parking Services Officer, Phone 01539 796165, f.flannigan@southlakeland.gov.uk

Appendices Attached to this Report

(delete if no appendices attached)

Appendix No.	Name of Appendix
1	Planning decision notice
2	Amendment to planning consent
3	Environment Agency works permit
4	Application for encroachment
5	Application for dredging
6	Heritage design and access statement
7	Location plan
8	Proposed site plan
9	proposed plans and elevations

Background Documents Available

Name of Background document	Where it is available
N/A	N/A

Tracking Information

Signed off by	Date sent
Legal Services	28/12/2018
Section 151 Officer	28/12/2018
Monitoring Officer	28/12/2018
SMT	N/A

Circulated to	Date sent
Assistant Director	28/12/2018
Human Resources Manager	N/A
Communications Team	N/A
Leader	N/A
Committee Chairman	N/A
Portfolio Holder	N/A
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A

Circulated to	Date sent
Council	N/A