

Please note this is a Part 1 (Public) report and will be published on the website any Part 2 (Confidential) information should be included in a separate document as an Appendix.

EMERGENCY DELEGATED NON EXECUTIVE DECISION

To the Chief Executive to take such action on behalf of the Council as appears to him/her necessary in circumstances that prevent obtaining the necessary authority from an appropriate committee following consultation with the Leader of the Council or the Chairman of the committee concerned. Where the Chief Executive is acting in an emergency and it involves spending outside any budgetary provision, then any expenditure must be reported to Full Council at the first available opportunity. (In accordance with Part 3 of the Councils Constitution 3. (B 1) (1.1) Scheme of Delegation to Officers specific delegation to the Chief Executive.)

**South Lakeland District Council
Emergency Non-Executive Decision**

Date: 2 September 2020	Reference: 013
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<p><u>Reason for emergency</u></p> <p>The Council has no planned Council or other Non-Executive meetings due to Government advice and COVID 19 it is therefore considered necessary in these circumstances and following consultation with the Leader of the Council or the Chairman of the committee concerned.</p> <p>The decision is required to be taken due to The Lake Administration Committee is not sitting until 2nd October which is causing a delay to applicants who need to arrange construction with the contractors.</p>
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<u>TYPE OF DECISION</u>	
Lake Administration Committee	
Where the Chief Executive is acting in an emergency and it involves spending outside any budgetary provision, then any expenditure must be reported to Full Council at the first available opportunity. Committee Services will be keeping a record of these decisions.	

Portfolio: Chair of the Lake Administration Committee

Report from: Simon Rowley Director of Customer and Commercial Services

Report Author: Frankie Flannigan – Service Delivery Manager

Wards: Broughton and Coniston

1.0 Expected Outcome

1.1 That approval be given to the application to install a new wooden jetty at High Cunsey Farm Cunsey on Windermere

2.0 Decision

2.1 That the Chief Executive grants permission, subject to the completion of a new private encroachment agreement, for the following:

(1) Installation of a new traditional wooden jetty.

3.0 Background and Proposals

- 3.1 An application has been received to construct a new traditional wooden jetty at High Cunsey Farm on Windermere High Cunsey Farm is a private residence on the Western shore of Windermere
- 3.2 The application provides details of the construction of the new jetty to be a traditional construction with timber piles measuring 27.56m² approximately. These measurements are subject to a survey following completion.
- 3.3 The applicant has provided confirmation of the approved planning consent by The Lake District National Park Authority and a copy is attached. Environment Agency approval has also been received

4.0 Consultation

4.1 Informal consultation has taken place with the Lake Wardens. The Service Delivery Manager is also in possession of all relevant consents, risk assessments, method statements and plans. Please see appendices.

5.0 Alternative Options

5.1 The application could be refused, however this action is not recommended as there are no boundary issues with this location, planning permission has been granted by LDNPA and approval of the Environment Agency has been issued.

6.0 Links to Council Priorities

6.1 Economy and Culture

6.2 Health and Environment

7.0 Implications

Financial, Resources and Procurement

7.1 A new encroachment agreement will be required to ensure the appropriate income is received.

Human Resources

7.2 There are no staff implications.

Legal

7.3 A new private encroachment agreement will be required following confirmation of agreed terms by the Council's property agents, Lambert Smith Hampton (LSH).

Health, Social, Economic and Environmental

7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No.

7.5 A sustainability impact assessment has not been carried out as 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 No equality and diversity implications arise out of this proposal.

7.9 Summary of equality and diversity impacts: Not applicable

Risk

Risk	Consequence	Controls required
The application could be refused	It is likely to be challenged by the applicant as planning consent has already been given by the LDNPA planners	Allow the construction to proceed subject to a private encroachment agreement

Contact Officers

Frankie Flannigan, Service Delivery Manager, Phone 01539 796165, f.flannigan@southlakeland.gov.uk

Appendices Attached to this Report

Appendix No.	Name of Appendix
1	Planning notice decision
2	Notification of Environment Agency consent
3	Encroachment application
4	Location plan
5	Proposed layout and elevation plan

Background Documents Available

Name of Background document	Where it is available
Not Applicable	

Tracking Information

Signed off by	Date sent	Date Signed off
Section 151 Officer	23/07/2020	20/08/2020
Monitoring Officer	23/07/2020	20/08/2020
Director of Corporate Strategy and Resources	25/08/2020	27/08/2020
Director of Customer and Commercial Services	23/07/2020	20/08/2020

	Signature and Date
Chief Executive	02/09/2020
In consultation with	Cllr Doug Rathbone
Chairman of The Lake Administration Committee	26/08/2020



**Lake District
National Park**

7/2020/5045

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE OF GRANT OF PLANNING PERMISSION

To: Mr Tony Hills
Damson Consultancy Limited
Pelis Yeat Farm Studio
Hophouse Lane
Kirkby Lonsdale
LA6 2EH

PART 1- PARTICULARS OF APPLICATION

- | | | |
|---|---|---|
| 1 | Name and address of applicant | Mr & Mrs Redding - High Cunsey Farm,
Cunsey, Ambleside, LA22 0LT |
| 2 | Date of application | 28 January 2020 |
| 3 | Land to be developed | High Cunsey Farm, Cunsey, Ambleside,
LA22 0LT |
| 4 | Development forming the
subject of the application | Construction of new timber jetty 17.225m
long x 1.6m wide |

PART 2-PARTICULARS OF DECISION

IN PURSUANCE of their powers under the Town and Country Planning Act 1990, the Lake District National Park Authority as local planning authority **HEREBY GIVE NOTICE THAT PLANNING PERMISSION** for the development referred to in Part 1 hereof **HAS BEEN GRANTED.**

SAVE as hereunder specified the development shall be carried out and completed in entire accordance with the particulars specified in the application and plans submitted. The development shall be subject to the following conditions:

- 1 The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

REASON: Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details:

- Drawing no. 19009 P01.
- Construction Method Statement .

REASON: For the avoidance of doubt.

I& Environment **•••Agency**

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Mr Philip Redding

Installation of a new timber jetty at Lake Windermere, River Levens (Main River).

National Grid Reference: 5D3839194144

High Cunsey Farm, Cunsey, Cumbria

Permit number

EPR/GB3491JF

South Lakeland District Council

Lake Wardens Office
Ferry Nab
Bowness-on-Windermere
Cumbria LA23 3JH

Tel: 015394 42753
Fax: 015394 47813

e-mail: lake.wardens@southlakeland.gov.uk

APPLICATION FOR AN ENCROACHMENT ON THE BED OF WINDERMERE

Encroachment No..... ..

Name of Applicant Mr Philip Redding
Address High Cunsey farm, Cunsey, Ambleside, LA22 0LT

Telephone No 07973 297938

Name of Agent..... Tony Hills Damson Consultancy Ltd
Telephone No... 015395 61763
Name of Contractor..... Jetties and Moorings Ltd
Telephone number 015395 31341

Location of Proposed Encroachment (**inc O.S. grid Ref**) SO 38391 94144
Lakeshore of High Cunsey Farm, Cunsey, Ambleside LA22 0LT

**5 COPIES OF THE LOCATION PLAN AND DIMENSIONS
TO BE SUBMITTED AT TIME OF APPLICATION**

Details of Proposed Encroachment. ... **New Jetty**

(a) Method and Type of Construction..... Treated timber: Refer Construction Method Statement

(b) Dimensions: **Length** 17.225m **Width:** . 1.6m

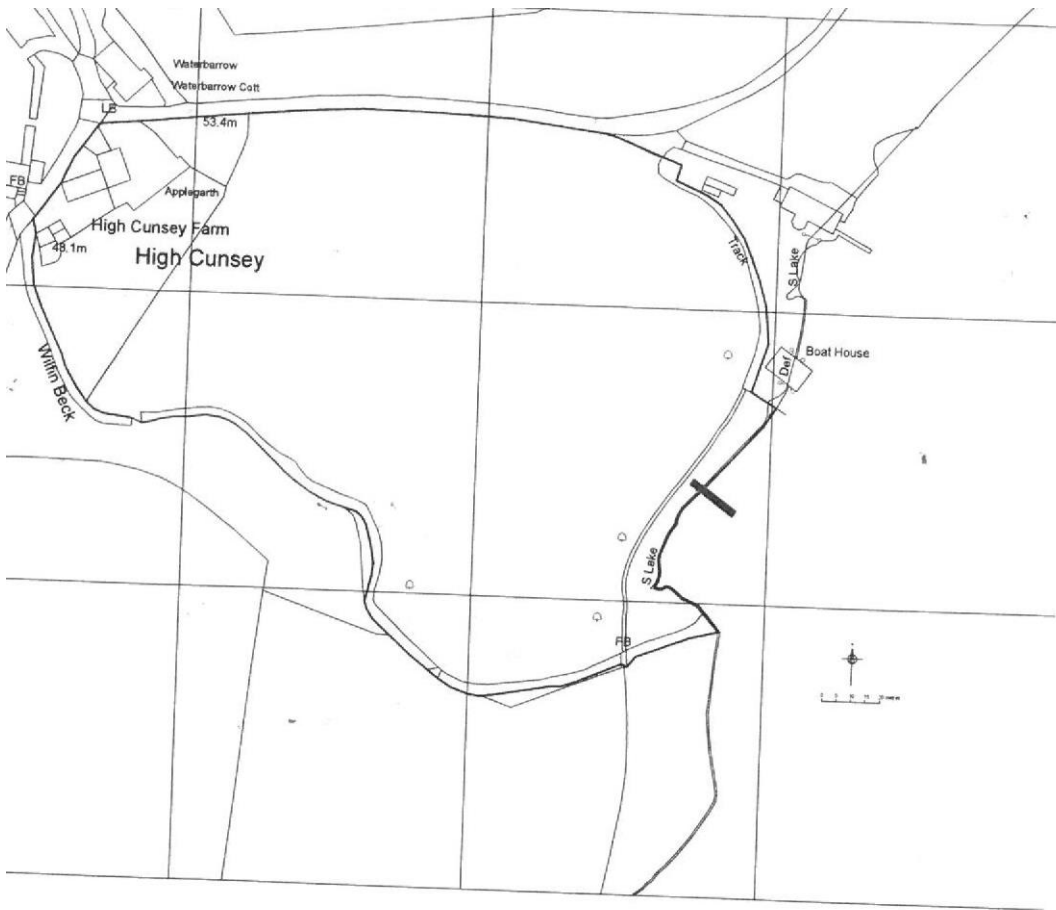
(c) Is the proposed Encroachment to be used **Privately**

Names and Addresses of adjoining land owners
1).....
2).....

All Applications Must include certified copies of plans and permissions granted by the Lake District National Park Authority.(Planning Consent) and The Environment Agency. together with the fee of £226.S0p inc.vat.

Signed...

tate 29 4 20



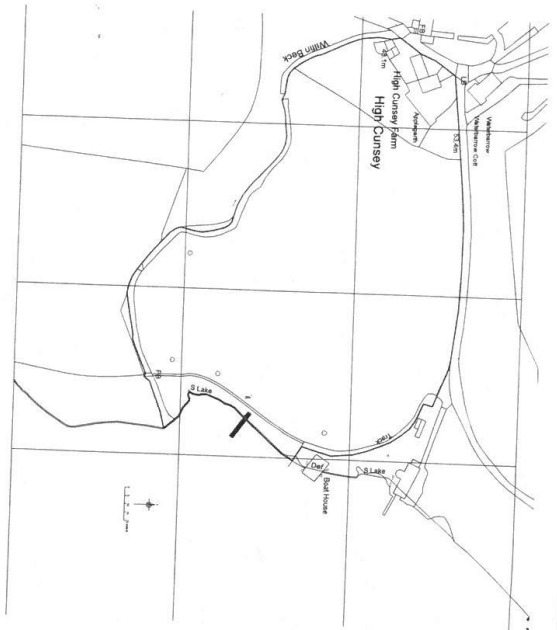
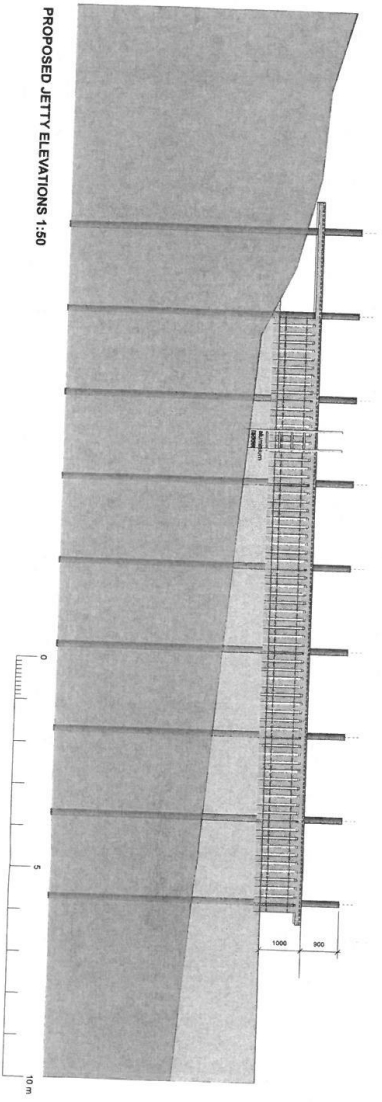
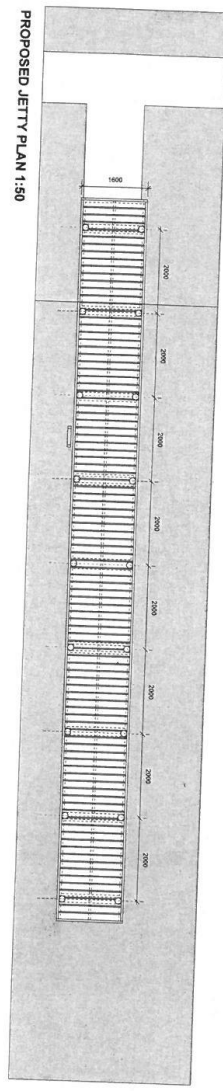
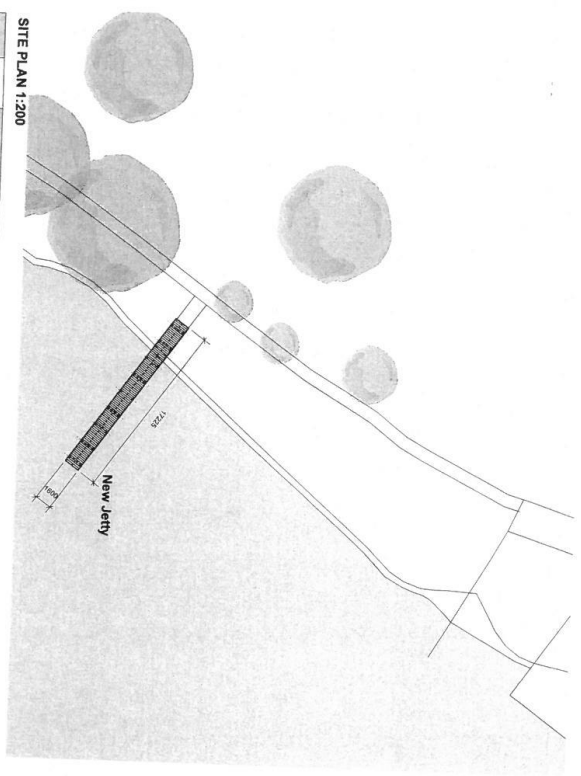
SITE LOCATION PLAN 1;1250

Specification note 11:

- Jetty to be constructed with seasoned treated sw (spruce)
- 150 x 38 timber boards with 10 mm gaps between boards
- 150 X 38 palings
- 10-200 eh , plies taken 900mm above deck
- 150 x 38 and 150 x- 50mm miling with bracing as structural engineers details
- Jetty to be constructed to Jetty's and Moorin95 details

Project	NEWJETTY HIGH CUNSEY FARM LA220 LT	Drawn Title	SITE LOCATION & SITE PLAN & JETTY PLANS	
		OralMng No	19009	P01
Client	MR MRS REODING			
Slating	PLANNING APPLICATION			
Se...	a. notated			
Dr...	TH			
	Dalo	30.9.19		

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Specifications note:
 Jetty to be constructed with vertical steel pile (Timber)
 100 x 200 timber beams with 20 mm gaps between beams
 150 x 200 piling
 10-200 dia. piles shall be driven above 444
 100 x 200 and 150 x 200 beams with bearing as
 shown on drawings
 Jetty to be constructed in 4000 and 10000m depths

Project	NEW JETTY HIGH CUNEISY FARM 1500 P1	Client	MR. & MRS. BROWN
Drawn	AT	Checked	15009 P01
Scale	as indicated	Drawn	AT
Client	151	Date	2013/12

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