

South Lakeland District Council

Lake Administration Committee

Friday, 25 January 2019

Encroachment Application to install a new wooden Jetty at Winsterlea Ghyll Head 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 install a new traditional jetty at Winsterlea.

2.0 Recommendation

- 2.1 It is recommended that approval be given to the application subject to the applicant agreeing to an encroachment agreement with the Council.**

3.0 Background and Proposals

- 3.1 An application has been received to install a new jetty in a location not previously used at Winsterlea Windermere. Winsterlea is a private residence and sits on the Eastern shore of Windermere Lake North of Ghyll Head Activity Centre.
- 3.2 The application provides details of the construction of the new jetty to be a traditional construction with timber piles measuring 22.5m². 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 Principal Lake and Parking Services Officer is also in possession of all relevant consents, risk assessments, method statements and plans. Please see appendices.

5.0 Alternative Options

- 5.1 The committee could decide to refuse the application however this action is not recommended. There are no boundary issues with the location. The Principal Lake

and Parking Services Officer has visited the site and is content with the location and the jetty length.

6.0 Links to Council Priorities

6.1 Not Applicable

7.0 Implications

Financial, Resources and Procurement

7.1 A new encroachment agreement will be required as the proposed jetty will generate new rental income.

Human Resources

7.2 There are no staff implications

Legal

7.3 A new 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 If you have not completed an Impact Assessment, please explain your reasons: 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.

7.6 Summary of health, social, economic and environmental impacts: Not Applicable

Equality and Diversity

7.7 Have you completed an Equality Impact Analysis? No

7.8 If you have not completed an Impact Assessment, please explain your reasons: No equality or diversity implications arise out of this proposal.

7.9 Summary of equality and diversity impacts: Not Applicable

Risk

Risk	Consequence	Controls required
The Committee refuse the application	It is likely that will be challenged by the applicant	Approve the construction of the jetty as detailed. The Principal Lake and Parking Services Officer and Lake Wardens are both content with the application submitted.

Contact Officers

Report Author - – Frankie Flannigan, Principal Lake and Parking Services Officer, Phone 01539796165, f.flannigan@southlakeland.gov.uk

Appendices Attached to this Report

Appendix No.	Name of Appendix
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Appendix No.	Name of Appendix
1	Planning notice decision
2	Notification of Environment Agency consent
3	Application for encroachment
4	Construction method statement
5	Risk assessment
6	Location plan
7	Proposed layout plan
8	Location image

Background Documents Available

Name of Background document	Where it is available
Not Applicable	

Tracking Information

Signed off by	Date sent
Legal Services	28/11/18
Section 151 Officer	29/11/18
Monitoring Officer	29/11/18
SMT	

Circulated to	Date sent
Assistant Director	29/11/18
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
Council	N/A