

**South Lakeland District Council
Lake Administration Committee**

Friday, 22 April 2022

**Encroachment Application to extend the Southern
jetty at Hill of Oaks and Blakeholme Caravan
Park Windermere**

Portfolio: Customer and Locality Services Portfolio Holder

Report from: Director of Customer and Commercial Services

Report Author: Frankie Flannigan – Service Delivery Manager

Wards: Bowness & Levens;

Forward Plan: Not Applicable

Links to Council Plan Priorities:

Working across boundaries – N/A

Delivering a balanced community – Delivering a balanced community – encouraging a sustainable environment and inclusive economy, we will grow our green economy by making the best use of our parks, open spaces and lakes.

A fairer South Lakeland – N/A

Addressing the climate emergency – N/A

1.0 Expected Outcome and Measures of Success

1.1 That approval be given to the application to extend the traditional timber Southern jetty by 10m at Hill of Oaks Caravan Park.

2.0 Recommendation

2.1 Delegate the authority to the Director of Customer and Commercial Services to grant permission, subject to the completion of a new Commercial encroachment agreement, for the following:

- (1) **Removal of rotten and all timber decking and piles from the Southern timber jetty.**
- (2) **Replacement of jetty to match existing together with 10m extension.**

3.0 Background and Proposals

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

3.2 The application provides details of the proposed extension of the Southern Jetty. This extension will be of a wooden construction with timber piles. This will add an additional 10m to the current dimensions of 37.8 which will increase the demise to 47.8m². These

are approximate dimensions and a full survey will be carried out by the asset team on completion.

- 3.2 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 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 | Existing layout |
| 6 | Proposed layout |

5.0 Consultation

- 5.1 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.

6.0 Alternative Options

- 6.1 The Committee could decide to refuse the application 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.

7.0 Implications

Financial, Resources and Procurement

- 7.1 A new commercial 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 Commercial encroachment agreement will be required following confirmation of agreed terms by the Council's Estates department. The Council's legal and professional fees in connection with the survey and the negotiation and completion of the new agreement will be recovered from the applicant.

Health and Sustainability Impact Assessment

- 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

7.6 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

| Risk Management | Consequence | Controls required |
|---------------------------------------|--|--|
| The Committee refuse the application. | It is likely to be challenged by the applicant | Allow the construction to proceed subject to a commercial encroachment agreement |

Contact Officers

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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 | 23/03/2022 | 01/04/2022 |
| Monitoring Officer | 23/03/2022 | 01/04/2022 |
| CMT | N/A | |

| Circulated to | Date sent |
|---------------------------------|-----------|
| Lead Specialist | N/A |
| Human Resources Lead Specialist | 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 |