

South Lakeland District Council
Lake Administration Committee
Friday, 1 July 2022

**Encroachment Application to replace and extend the
timber jetty including associated dredging at
Brunton Storrs 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 – 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- Improving the natural environment in and around the lake to ensure a healthy, diverse and high quality biodiversity on land and on water.

1.0 Expected Outcome and Measures of Success

1.1 That approval be given to the application to replace and extend the traditional timber jetty by 3.4m and carry out associated dredging at Brunton Storrs Park Windermere.

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 private encroachment agreement, for the following:**

- (1) **Removal of the existing timber jetty**
- (2) **Replacement of jetty to match existing with extension of 3.4m**
- (3) **Carry out associated dredging**

3.0 Background and Proposals

3.1 Brunton is located on the eastern shore of Windermere which is a private dwelling located in Storrs Park.

3.2 The application provides details of the proposed removal and extension of the Jetty which will be of a wooden construction with Alkaline Copper Quaternary (also known

as ACQ) a water based wood preservative treated timber piles. This will add an additional 3.4m to the current dimensions of 10.5 with a width of 1.135m will give an overall encroachment of 15.8m². These are approximate dimensions and a full survey will be carried out by the asset team on completion.

- 3.3 The application provides details of the associated dredging to cover an area of 112m² to an appropriate depth. Dredged material to be spread close to lake shore for 24hrs prior to disposal, to allow organisms to return to the lake.
- 3.4 Windermere arctic char autumn spawning occurs from October to December, with peak numbers spawning in November, on the lake bed, in shallow water 1 to 3 m deep. Spring spawning occurs from January to April, with the greatest numbers spawning in mid-February, on the lake bed, in water 15 to 30 m deep.
- 3.5 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	Dredging details
5	Location plan
6	Existing and 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 revised private 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 revised 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 on and completion of the revised 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. Equality and Diversity

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 If you have not completed an Impact Analysis, please explain your reasons: 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 revised private 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	10/06/2022	17/06/2022
Monitoring Officer	10/06/2022	17/06/2022
CMT	10/06/2022	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