

## Unrestricted Report

### ITEM NO: 10

Application No.  
**21/00763/PAC**  
Site Address:

Ward:  
Wildridings And Central

Date Registered:  
30 July 2021

Target Decision Date:  
24 September 2021

### **Atrium Court The Ring Bracknell Berkshire RG12 1BW**

Proposal:

**Application for Prior Approval under Class O, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of the existing office accommodation to provide 150no. residential units.**

Applicant:

Hart Investments Limited

Agent:

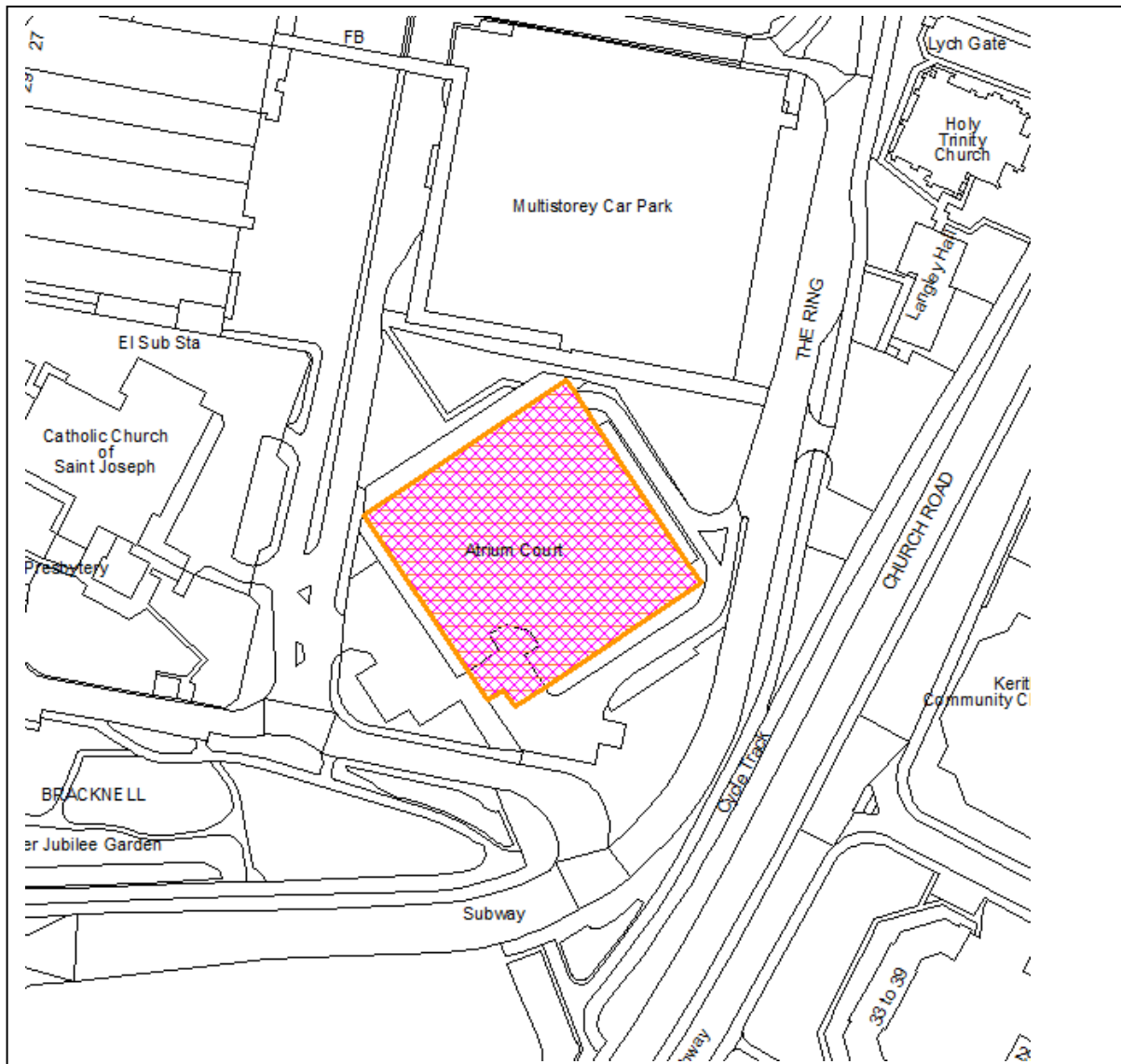
Miss Ellen Bailey

Case Officer:

Jo Male, 01344 352000

[Development.control@bracknell-forest.gov.uk](mailto:Development.control@bracknell-forest.gov.uk)

### **Site Location Plan** (for identification purposes only, not to scale)



## 1. SUMMARY

- 1.1 Prior Approval is sought for the change of use of Atrium Court, a 7 storey office building with basement parking located within The Ring, from offices (Class B1 (a)) to 150no. flats (Class C3).
- 1.2 The proposal complies with the criteria set out in Paragraph O.1 of Class O, Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Prior approval can therefore be granted subject to appropriate conditions relating to noise and highway impact.
- 1.3 For the purposes of the Town and Country Planning (Use Classes) (Amendment) (England) Regulation 2020 which came into force on 1<sup>st</sup> September 2020 Atrium Court would now fall within Class E. However, section 3(3) of these regulations applies to applications made prior to 31<sup>st</sup> July 2021 and specifies that, in relation to applications subject to prior approval under Schedule 2 of the GPDO, reference to uses or use classes should be made to the Schedule to the Use Classes Order on 31<sup>st</sup> August 2020. This application was submitted on 30<sup>th</sup> July 2021 and as such, the building will be referred to as being in Class B1(a) use.

## 2. PLANNING STATUS AND SITE DESCRIPTION

<b>PLANNING STATUS</b>
Within settlement boundary
Within 5km of the SPA
Bracknell Town Centre
Protected Notable Species Area

- 2.1 Atrium Court is a 7 storey office building located within The Ring, Bracknell. It was originally constructed in the 1980s and benefitted from some external improvements in 2016. Although recently vacant, its lawful use is for Class B1(a) office purposes.
- 2.2 The site lies within the defined settlement and Bracknell Town Centre. It also lies within the SPA 5km buffer zone.

## 3. REASON FOR BEING PRESENTED TO COMMITTEE

- 3.1 The application has been submitted under the prior approval procedure and therefore requires determination within 56 days.

## 4. RELEVANT SITE HISTORY

- 4.1 The relevant site history can be summarised as follows:

611276 - Erection of new 7 storey office building with 3 levels of below ground parking. Approved.

16/00063/FUL Proposed external works including provision of a new entrance to the building, alterations to the façade and the forecourt including new steps and configuration of parking. Approved.

16/01166/FUL Proposed external works including provision of a new entrance to the building, improvements to the forecourt and alterations to the facade. (Amendment to 16/00063/FUL). Approved.

19/00519/CLPUD - Application for a Certificate of Lawful Development for the use of suite 235C (B1 use) for the administrative function of an 'app based' private hire vehicle operator. Withdrawn.

## 5. THE PROPOSAL

5.1 Prior approval is sought for the change of use of the existing building from Class B1(a) (office) to Class C3 (dwellinghouse) in accordance with Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Pursuant to paragraph W of the same legislation, the applicant is applying for prior approval for this change of use.

5.2 The existing building comprises 3 basement levels accommodating parking and then ground plus 6 floors of office accommodation. The submitted plans, indicate the conversion of the office space to provide a total of 150 no. 1 bedroom flats and studio apartments in accordance with the following accommodation schedule:

Level	Studio Flats	1 Bed Flats	Total
Ground	14	13	27
1 <sup>st</sup>	22	7	29
2 <sup>nd</sup>	18	9	27
3 <sup>rd</sup>	18	10	28
4 <sup>th</sup>	10	3	13
5 <sup>th</sup>	10	3	13
6 <sup>th</sup>	10	3	13
			<b>150</b>

5.3 Parking for at least 135 vehicles would be provided on the 3 existing basement levels including 11 spaces which would provide electric charging, and 15 which would be accessible to disabled users. 163 bicycle storage spaces would be provided together with a refuse store.

5.4 No external changes to the building are proposed.

## 6. REPRESENTATIONS RECEIVED

### Bracknell Town Council

6.1 No comments to date.

6.2 No representations received.

## 7. SUMMARY OF CONSULTATION RESPONSES

### Highway Authority

7.1 No objection subject to the submission of an amended site plan to exclude an area of adopted highway and appropriate conditions.

Drainage Officer  
7.2 No comment.

Environmental Health  
7.3 Recommends conditions relating to noise from external sources and from plant and machinery.

Thames Water  
7.4 No objection with regard to foul water sewerage network infrastructure capacity. With regard to surface water drainage, no objection raised if developer follows the sequential approach to surface water drainage. Informatives recommended.

Waste  
7.5 Proposed residential bin store is at lower ground level and collections will take place from the existing rear service yard. No objection to this providing the bins can be taken directly from the bin store and to the collection vehicle without the use of slopes or lifts. Any area the waste collection vehicle accesses will also need to be of a standard to support a 26 tonne vehicle. For a development of this size in the town centre, weekly refuse collections and fortnightly recycling collections are preferred.

SPA Officer  
7.6 The SPA Officer has provided a consultation response which provides information for both stages of the prior approval process, namely:  
1. An informative to be added to the Prior Approval Notice (PAN)  
2. An Appropriate Assessment response which concludes that a s106 Agreement must be entered into otherwise the scheme the PAN relates to cannot be implemented.  
The recommendation set out below includes the required informative.

## **8. PRINCIPLE OF DEVELOPMENT**

- 8.1 In assessing this type of prior approval application, the Council can only assess whether the proposal is likely to result in transport and highway implications, contamination issues, flooding issues, any impacts of noise from commercial premises on the intended occupiers of the development and the adequacy of natural light provided to all habitable rooms.
- 8.2 If there are no implications associated with these matters, the development is considered to be permitted development.

## **9. RELEVANT LEGISLATION**

9.1 Class O of Part 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) to a use falling within Class C3 (dwellinghouses) of that Schedule.

9.2 Paragraph O.1 states that development is not permitted by Class O if:

- (b) The building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Class Order-

- (i) On 29th May 2013, or
- (ii) In the case of a building which was in use before that date but was not in use on that date, when it was last in use;
- (d) The site is, or forms part of, a safety hazard area;
- (e) This site is, or forms part of, a military explosives storage area;
- (f) The building is a listed building or is within the curtilage of a listed building; or
- (g) The site is, or contains, a scheduled monument.

9.3 Paragraph O.2(1) states that development under Class O is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-

- (a) transport and highways impacts of the development,
- (b) contamination risks on the site,
- (c) flooding risks on the site,
- (d) impacts of noise from commercial premises on the intended occupiers of the development, and
- (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses.

and the provisions of paragraph W (prior approval) apply in relation to that application.

9.4 Paragraph O.2(2) states that development under Class O is permitted subject to the condition that it must be completed within a period of 3 years starting with the prior approval date and that the developer must apply for a determination of prior approval on or before 31<sup>st</sup> July 2021. In respect of the latter point, this application was received on 30<sup>th</sup> July 2021.

9.5 Paragraph W sets out the procedure to be followed where a developer is required to apply for prior approval to the Local Planning Authority under any class falling within Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This paragraph states that the Local Planning Authority may refuse an application where, in the opinion of the authority, the proposed development does not comply with, or the applicant has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions, limitations or restrictions specified in this Part as being applicable to the development in question. Paragraph 2A indicates that where the application relates to prior approval as to adequate natural light, the local planning authority must refuse prior approval if adequate natural light is not provided in all the habitable rooms of the dwellinghouses.

## 10. ASSESSMENT

10.1 With regard to the criteria set out in paragraph O.1:

- (b) The buildings are currently in use as offices falling within Class B1(a).
- (c) The site does not form part of a safety hazard area.
- (d) The site does not form part of a military explosives storage area.
- (e) The building is not Listed or within the curtilage of a Listed Building.
- (f) The site is not, and does not contain, a scheduled monument.

10.2 With regard to the conditions listed in paragraph O.2:

- (a) Transport and Highways Impact of the Development

Atrium Court is within the defined Town Centre zone and therefore the parking standards within Table 5 of the Parking Standards SPD (March 2016) apply. The site benefits from an

existing basement car park over multiple levels. Access to the basement car park from The Ring is via a one-way road utilising a section of unadopted (but Council owned) road which serves the Braccan Walk Car Park and egressed back to The Ring via an adopted section of road. There is an area for deliveries and servicing vehicles between the access road and the entrance to the basement car parking.

The southern boundary of the submitted red-line incorporates an area of adopted highway and the red-line boundary needs to be amended to remove adopted highway areas.

A footway with dropped-kerbs and tactile paving has recently been completed along the adjacent access road to the west of Atrium Court and this improves pedestrian connectivity from the site to the Town Centre, Bus Station and Railway Station.

At least 135 car parking spaces are proposed for 150 flats. The Town Centre car parking standard is 0.9 spaces per dwelling and therefore the proposal meets the Parking Standards SPD (March 2016). The proposal does not specify any visitor parking, but the site is directly adjacent to the Braccan Walk multi-storey car park in which some visitors could park if needed. Electric vehicle charging-enabled spaces are also proposed, reflecting the Parking Standards SPD paragraph 3.8.

The Transport Statement states that 150 cycle parking spaces are proposed, according with Table 5 of the Parking Standards SPD (March 2016) for 1 secure, covered, cycle parking space per bedroom. However, an annotation of "163 Bicycle spaces" is shown on the submitted plans. On the submitted plans there are circa 10 spaces shown behind an opened door, these spaces are likely to be difficult to use in practice and therefore it is recommended that they are removed, returning the cycle provision to closer to 150 spaces (according with parking standards). The Highway Authority is satisfied that this can be dealt-with by condition.

Whilst the Highway Authority does not agree with the trip generation rate set out by the applicant for the proposed flats, where the rates in the Council's Transport Model should have been used; nonetheless, the proposed development would result in a considerable net reduction in vehicular trips both during the peak hours and over the day as a whole compared with the extant office use.

It is concluded therefore that the development would not give rise to unacceptable transport or highway impacts.

(b) Contamination Risks on the Site

The site is not on land that is known to be contaminated. The application is accompanied by a Phase 1 Environmental Site Assessment. This has been prepared following consultation with the Council's Environmental Health Department. It concludes:

'While potentially contaminative historical uses are recorded on the site, the subsequent excavation of the building footprint to three floors below ground level, and anticipated ventilation of basement areas significantly reduce the potential for residual contamination (if present) to pose a risk to future residents in a residential end use. The presence of landscaped areas represents a potential for site users (e.g. grounds maintenance staff) to come into contact with contaminated material (if present). Standard risk management measures should be implemented for any works exposing soils at the site'.

The Environmental Health Officer has been consulted in respect of this application and has raised no concerns in this respect.

(c) Flooding Risks on the Site

The Application site is within Flood Zone 1 according to the Environment Agency's maps and is generally at a low risk of flooding. The Council's records show an area on the building's north-east corner being subject to a 1:100 year risk of surface water flooding. This is at the point where the access ramp slopes down to the car park entrance and basement level and in the event of such flooding occurring, no residents would be put at risk and adequate means of escape would remain from the building.

A Flood Risk Statement accompanies the application and concludes :  
'There would be no changes to the external layout of the building and, therefore, no change to the surface water runoff regime. The proposals would not result in any increase in downstream flood risk and no changes to the surface water drainage network are considered necessary or reasonable given the small scale of external works'.

The Council's Drainage Officer has, however, been consulted and has no comments to make on the application.

(d) Impacts of Noise from Commercial Premises on the Intended Occupiers of the Development

The proposed use for residential is more sensitive to noise than the existing office use. A Noise Assessment has been submitted to support the application. The assessment undertaken demonstrates that 'with appropriate consideration to the condition of the existing glazing, with both windows open and closed an appropriate level of protection could be afforded to future noise sensitive receptors on the Site'. It concludes that noise should not be a determining factor in granting Prior Approval in this instance. The Environmental Health Officer has been consulted and recommends conditions securing appropriate noise mitigation measures for future occupiers.

(e) Provision of adequate natural light in all habitable rooms

All the proposed units have access to natural light by means of the currently, predominantly glazed frontages, however the studio flats have a linear arrangement with the living area closest to the external façade, with a dining area with galley kitchen behind, and then the bedspace to the rear.

The application is accompanied by a Daylight and Sunlight Report that refers to the BRE report 'Site layout planning for daylight and sunlight: a guide to good practice' Second Edition (2011). This report concludes that the analysis undertaken demonstrates that all of the proposed habitable rooms will receive adequate levels of daylight amenity, with all living/kitchen/dining rooms and studio flats receiving in excess of 2% ADF (Average Daylight Factor) and all bedrooms receiving in excess of 1% ADF'.

The findings of this report are accepted and as such, it is considered that adequate levels of natural light can be achieved by the proposed development.

## 11. CONCLUSION

- 11.1 An assessment has been made of the proposal and it is considered that prior approval is required for the change of use of the building from an office use (B1(a)) to a residential use (C3).
- 11.2 The proposal complies with the criteria set out within Paragraph O.1 of Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Subject to conditions ensuring that future occupiers will be adequately protected from the noise impacts of adjoining uses, and conditions recommended by the Highways Authority, prior approval can therefore be granted.

## 12. RECOMMENDATION

Subject to the receipt of a revised site location plan excluding all land within the adopted highway, the Assistant Director: Planning be recommended to **GRANT** Prior Approval subject to the following conditions amended, added to or deleted as the Assistant Director: Planning considers necessary:

1. Development under Class O, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), must be completed within a period of 3 years starting from the prior approval date.
2. This development must be carried out in accordance with the following plans received by the Local Planning Authority, received 30.07.2021:
  - Site Plan D1000 00
  - Elevations Proposed D2700 00
  - Ground Floor Plan Proposed D2100 00
  - 1<sup>st</sup> Floor Plan Proposed D2101 00
  - 2<sup>nd</sup> Floor Plan Proposed D2102 00
  - 3<sup>rd</sup> Floor Plan Proposed D2103 00
  - 4<sup>th</sup> Floor Plan Proposed D2104 00
  - 5<sup>th</sup> Floor Plan Proposed D2105 00
  - 6<sup>th</sup> Floor Plan Proposed D2106 00
  - Level -5 Basement Proposed D2197 00
  - Level -3/ -4 Basement Proposed D2198 00
  - Level -1/ -2 Basement Proposed D2199 00
3. The dwellings hereby approved shall not be occupied until noise mitigation measures for protecting the proposed dwellings from noise from the railway, business, road traffic, car park, church, cricket ground etc. which have already been established and the daily running of the town centre have been implemented in full in accordance with a scheme that has submitted to and approved in writing by the Local Planning Authority.

The noise mitigation measures shall be retained and maintained thereafter in accordance with the approved scheme.  
REASON: To protect future residents of the site from noise.
4. The sound rating level (established in accordance with BS4142:2014) of any plant, machinery and equipment installed or operated in connection with this permission shall not exceed, at any time, the prevailing background sound level at the nearest residential or noise sensitive property.



If the plant, machinery or equipment is to be enclosed details of the enclosure shall be sent to the local planning authority for their approval before the development commences

REASON: To protect future residents of the site from noise.

5. No dwelling shall be occupied until the associated vehicle parking and turning space for at least 135 cars to park and turn has been surfaced and marked out in accordance with the approved plans. The spaces and turning areas shall thereafter be kept available for parking at all times.

REASON: To ensure that the development is provided with adequate car parking to prevent the likelihood of on-street car parking which would be a danger to other road users. [Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

6. The development shall not be occupied until at least 150 secure and covered cycle parking spaces have been provided in the location identified for cycle parking on the approved plans within the development. The cycle parking spaces and facilities shall thereafter be retained.

REASON: In the interests of accessibility of the development to cyclists. [Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

7. No part of the development shall be occupied until a scheme of lighting, signage and markings for the access, car parking and turning areas, cycle parking and pedestrian routes has been submitted to and approved in writing by the Local Planning Authority.

REASON In the interests of highway safety and personal safety within the car and cycle parking areas.

[Relevant Policies: BFBLP M9, Core Strategy DPD CS23]

8. No development shall take place, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include as a minimum:

- (i) Routing of construction traffic (including directional signage and appropriate traffic management measures);
- (ii) Details of the parking of vehicles for site operatives and visitors;
- (iii) Areas for loading and unloading of plant and materials;
- (iv) Areas for the storage of plant and materials used in constructing the development;
- (v) Location of any temporary portacabins and welfare buildings for site operatives;
- (vi) Details of any security hoarding;
- (vii) Details of any external lighting of the site during construction;
- (viii) Measures to control the emission of dust, dirt, noise and odour during demolition and construction;
- (ix) Construction and demolition working hours and hours during which delivery vehicles or vehicles taking materials away are allowed to enter or leave the site;
- (x) Details of wheel-washing facilities during construction phases; and
- (xi) Areas for the turning of construction and demolition vehicles such that the largest anticipated vehicle can turn and leave the site in a forward gear.

The approved Construction Environmental Management Plan shall be adhered to throughout the construction period.

REASON: In the interests of highway safety and to mitigate and control environmental effects during the demolition and construction phases.

[Relevant Policies: BFBLP EN20, EN25, M9; Core Strategy DPD CS1, CS7, CS23]

Informative(s):

1. It is a condition of the consent given by the General Permitted Development Order that any development which is likely to have a significant effect upon a Special Protection Area cannot proceed unless the Local Planning Authority (the Council) has given written approval under the Habitats Regulations 2010. This Prior Approval Notice does NOT constitute approval under the Habitats Regulations. The Council and Natural England are of the view that any residential development between 400 metres and 5 kilometres of the boundary of the Thames Basin Heaths Special Protection Area or residential development of 50 or more dwellings between 5 kilometres and 7 kilometres of such boundary cannot be approved under the Habitats Regulations unless a planning obligation is entered into under Section 106 of the Town & Country Planning Act 1990 to ensure that the development has no adverse impact upon the Special Protection Area. Your development falls within one of the two types of development referred to in the heading above.
2. Any external alterations proposed would require the submission of a full planning application.
3. The applicant's attention is drawn to the need for the waste collection vehicle accesses to be of a standard to support a 26 tonne vehicle. It is also recommended that consideration is given to the Council's waste collection guidance notes for new developments, particularly section 5 on flats, which can be found at:  
[www.bracknell-forest.gov.uk/council-and-democracy/strategies-plans-and-policies/strategy-and-policy-documents/bins-and-recycling-strategies-and-policies](http://www.bracknell-forest.gov.uk/council-and-democracy/strategies-plans-and-policies/strategy-and-policy-documents/bins-and-recycling-strategies-and-policies)
4. Under CIL regulation 64 where general consents are granted for development via the Town and Country Planning (General Permitted Development) (England) Order 2015, the developer or landowner should submit a Notice of Chargeable Development to the Bracknell Forest Council before commencement. Failure to submit a Notice of Chargeable Development may result in the charging authority being unable to establish lawful use of existing floor space, leading to the issue of a Notice of Chargeable Development by the charging authority, a surcharge and full payment of the CIL liability immediately on commencement.
5. With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to the website.  
<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdevelopers.thameswater.co.uk%2FDeveloping-a-large-site%2FApply-and-pay-for-services%2FWastewater-services&data=04%7C01%7Cdevelopment.control%40bracknell-forest.gov.uk%7C45f74ea18e494223f3e308d958b729e2%7Cf54c93b70883478bf3d56e09b7ca0b7%7C0%7C0%7C637638366002072456%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikk1haWwiLCJXVCi6Mn0%3D%7C1000&reserved=0>.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read Thames Water's guide to working near or diverting their pipes.  
<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdevelopers.thameswater.co.uk%2FDeveloping-a-large-site%2FPlanning-your-development%2FWorking-near->

or-diverting-our-pipes&data=04%7C01%7Cdevelopment.control%40bracknell-forest.gov.uk%7C45f74ea18e494223f3e308d958b729e2%7Cf54c93b70883478bf3d56e09b7ca0b7%7C0%7C0%7C637638366002072456%7CUnknown%7CTWFpbGZsb3d8eyJWIjoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I6k1haWwiLCJXVCi6Mn0%3D%7C1000& ;sdata=GKlfJtw1PwyID%2FTuL4zCPzQEJMh9QvgzkEzC2iaCfWI%3D& ;reserved=0.

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via

<https://eur03.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.thameswater.co.uk%2F&data=04%7C01%7Cdevelopment.control%40bracknell-forest.gov.uk%7C45f74ea18e494223f3e308d958b729e2%7Cf54c93b70883478bf3d56e09b7ca0b7%7C0%7C0%7C637638366002072456%7CUnknown%7CTWFpbGZsb3d8eyJWIjoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I6k1haWwiLCJXVCi6Mn0%3D%7C1000& ;sdata=ZINX%2FUyMaQstQ0WXa6Fv1w64Y%2BYefwCUEfqwtUNQY3I%3D& ;reserved=0> . Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to water supply, this comes within the area covered by the South East Water Company. For your information the address to write to is - South East Water Company, Rocfort Road, Snodland, Kent, ME6 5AH, Tel: 01444-448200

6. The layout and size of the dwellings created must be sufficient for the safe use of the amenities and must not result in over-occupation, otherwise a Hazard under part 1 of the Housing Act 2004 may be created and as such could be subject to formal action under that legislation.
7. Any incidental works affecting the adjoining highway (including verge, footway, or crossover access) shall be approved by, and a licence obtained from, the Highways and Transport Section at Time Square, Market Street, Bracknell, RG12 1JD, telephone 01344 352000 or via email at [Highways.Transport@bracknell-forest.gov.uk](mailto:Highways.Transport@bracknell-forest.gov.uk) , to agree the construction details and to grant a licence before any work is carried out within the highway. A formal application should be made allowing at least 12 weeks prior to when works are required to allow for processing of the application, agreement of the details and securing the appropriate agreements and licences to undertake the work. Any work carried out on the public highway without proper consent from the Highway Authority could be subject to prosecution and fines related to the extent of work carried out.