

Category 1 Standard

S1022 Land and Property

Copyright London Underground Library
Provided by IHS
No reproduction or networking permitted without license from IHS
Full document details: LUL S1022 2013

Issue No.: A2

Issue date: July 2013

Review date: July 2018

MAYOR OF LONDON

 **Documents**
Document Sharing Hub



Contents

1	Purpose	3
2	Scope	3
3	Requirements	3
3.1	Planning Permissions for LU Works	3
3.2	Property Refurbishment for TfL Property Tenants	4
3.3	Encroachment	5
3.4	Party Wall Agreements	5
3.5	Disposal of Land	5
3.6	Creation of Temporary and Permanent Rights	7
3.7	Access onto Neighbouring Land	7
3.8	Acquisition of Land	7
3.9	Rights of Light	8
3.10	Agreements with Other Rail Operators	8
4	Responsibilities	9
5	References	9
5.1	References	9
5.2	Abbreviations	10
5.3	Definitions	10
5.4	Person accountable for the document	11
5.5	Document history	12

1 Purpose

- 1.1** The purpose of this Standard is to set out requirements for dealing with property matters when works are undertaken by London Underground (LU), Tenants of LU or Tenants of Transport for London (TfL) within LU operational areas. It also sets out requirements when land is to be disposed of where LU no longer has a need for that land.
- 1.2** This Standard covers both LU Operational Land or Property and LU Non-Operational Land or Property controlled either directly by LU or by LU / TfL Tenants.

2 Scope

- 2.1** This standard addresses all LU property and associated interfaces with commercial tenants and other rail operators as well as LU project interfaces with third party land, including planning considerations and acquisition of land.
- 2.2** The standard includes requirements regarding property agreements, including those under the Party Wall etc. Act 1996, when LU undertakes works on or adjacent to land or property not owned by LU and that these agreements do not prejudice the wider LU or other TfL modes.
- 2.3** This standard also deals with the requirements relating to when LU changes, disposes of or develops its property assets and that the associated sales, leases, development agreements etc. contain appropriate clauses to ensure that the safety and operation of the railway is not prejudiced both during the works and in the longer term.
- 2.4** Requirements for consents or licenses under environmental legislation are not covered within this standard.
- 2.5** This Standard does not cover activities which are otherwise specifically governed or controlled by a tenancy agreement or other legal agreement. It also does not apply to head office accommodation properties (i.e. LU office premises not located within LU Operational Land or Property) or LU Commercial Units which are not integral to operational property.
- 2.6** The Standard does not apply to works undertaken by Outside Parties affecting LU Land, which is covered by Standard S1023 "Infrastructure Protection". It also does not deal with Outside Parties undertaking works on LU Land under Licence arrangements as described in Guidance G0025 "Licence to Occupy LU Land".

3 Requirements

3.1 Planning Permissions for LU Works

- 3.1.1** Planning permission, listed building or conservation area consent, confirmation of permitted development rights or advertisement consent applications shall be made via the TfL Consents Team.
- 3.1.2** LU has certain permitted development rights determined by the Town and Country Planning (General Permitted Development) Order 1995. These permitted

development rights are limited and the TfL Consents Team shall be consulted at the earliest opportunity before any development, building, or engineering works are undertaken to ensure the appropriate planning process is followed. The TfL Consents Team will submit the proposal to the relevant Planning Authority on behalf of LU where Town Planning consent under the Town & Country Planning Acts or any other relevant legislation are required.

- 3.1.3** Any works within a conservation area may require conservation area consent. Consent may also be required for works to trees protected by a Tree Preservation Order (TPO). The relevant Local Planning Authority and English Heritage shall be consulted and both are required to give formal written approval prior to work commencing on site.
- 3.1.4** Any works to a listed building affecting its character and appearance or the character and appearance of its surrounds shall be formally approved through an application for listed building consent. Proposed work shall conform to the requirements laid down in the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.1.5** Where specific proposals, projects and initiatives or plans are being developed by LU then the property users affected by these proposals shall be consulted both at the preliminary stages and before a formal proposal to the authorising body is made.
- 3.1.6** TfL Property shall be consulted whenever commercial or other property managed by TfL Property is affected by LU development proposals.
- 3.1.7** If a planning Enforcement Notice is received during LU works then the Notice shall be copied to the TfL Consents Team and shall be dealt with by the TfL Consents Team (with input from TfL Legal and LU as required) as per the timescale defined within the Notice.

3.2 Property Refurbishment for TfL Property Tenants

- 3.2.1** A notification describing the proposed development and its location (accompanied by all necessary plans), shall be submitted to TfL Property by the tenant in accordance with the "TfL Property Guide to Alterations and Works, London underground Tenanted Premises".
- 3.2.2** Where proposed works by the TfL or LU Tenant is within LU Operational Land or Property and includes revision to the tenancy area, TfL Property shall advise LU Strategy & Service Development who will ascertain if there is any potential synergy with LU planned works at that location.
- 3.2.3** Where the proposed works change the area of LU Operational Land or Property occupied by the tenancy then a space allocation application shall be made by TfL Property in accordance with Standard S1472 "Allocation of Space on Operational Property". Works shall not commence until the space allocation has been approved.
- 3.2.4** When new or modified power circuits taking supply from LU are included in the Tenant's works the Tenant shall also comply with the requirements of S1100 "Load Change Application Requirements for Electrical, Compressed Air or Other Services".
- 3.2.5** A detailed specification showing the materials for all fittings, finishes and coatings including paint and powder coatings shall be submitted to TfL Property for approval by the Tenant (or LU if works are being undertaken by LU in behalf of the Tenant). Tenants must comply with relevant LU Standards and use compliant materials. Any existing non compliances with LU Standard relating to the existing tenancy must be addressed during these works.