

Ms Heidi Alexander

Secretary of State for Transport

By email: [REDACTED]

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17 December 2025

Heathrow West Terminal (the Project)

Request for Section 35 Direction (the Request)

Planning Act 2008 (the Act)

1. INTRODUCTION

- 1.1 Heathrow West Limited (**HWL**) is writing to request that the Secretary of State for Transport (**Secretary of State**) grants a direction under Section 35 of the Act that the Project is of national significance and that the Principal Development (as defined below) is to be treated as an infrastructure proposal for which development consent is required.
- 1.2 This Request constitutes a qualifying request for the purposes of the Act and compliance with the requirements of the Act are demonstrated below.
- 1.3 HWL is promoting the Project, which comprises a new terminal building and associated works on the western boundary of Heathrow Airport (**Heathrow**). The new terminal will be situated immediately to the west of the existing Terminal 5.
- 1.4 HWL considers that the principal elements of the Project (given its scale, complexity, and the fact that it is of a scale that is equivalent to an NSIP) would benefit from being authorised by way of a DCO.
- 1.5 Accordingly, HWL is seeking a section 35 direction from the Secretary of State for the Principal Development to be treated as nationally significant infrastructure for which development consent is required.

2. THE APPLICANT

- 2.1 HWL is a wholly owned subsidiary of the Arora Group (**Arora**), a UK-based, innovative organisation specialising in hospitality and service delivery in and around Heathrow. HWL is

committed to fostering competition at Heathrow, believing that choice drives efficiency and reduces cost for passengers.

- 2.2 This request is not expressed to be personal to HWL or any other party and focusses upon the Project.

3. THE PROJECT

- 3.1 The principal element of the Project to which the Request relates (the **Principal Development**) is a new passenger terminal building and a satellite pier attached to the terminal.

- 3.2 Specifically, the Principal Development would comprise:

- 3.2.1 a new passenger terminal building and related infrastructure, including apron capacity;
- 3.2.2 a satellite pier attached to the terminal building, providing access for passengers and gates; and
- 3.2.3 expansion of the existing airfield, including taxiways, aprons and stands, capable of accommodating circa 40mppa.

- 3.3 The Project as a whole would also comprise:

- 3.3.1 car and lorry parking;
- 3.3.2 a new public transport interchange for connection between existing Terminal 5 station and proposed new terminal building;
- 3.3.3 surface access improvements, including:
 - (a) alterations to Junctions 14 and 14a of the M25;
 - (b) diversions, alterations and improvements to the A4, the A3044 and A3113;
 - (c) diversions, alterations and improvements to minor and access roads;
- 3.3.4 changes to river alignments, enhancements to flood alleviation and provision of ecological mitigation;
- 3.3.5 landscape, recreational and ecological improvements;
- 3.3.6 ancillary facilities required to support the new terminal, including on-site energy generation;
- 3.3.7 the demolition, re-provision, re-siting or replacement of existing facilities that are displaced in delivering the above; and

- 3.3.8 associated works relating to the construction of the above, such as a temporary railhead, temporary access roads, highway works, temporary works compounds, work sites and ancillary works.
- 3.4 The Principal Development and Project as a whole would constitute key infrastructure in England. Accordingly, HWL considers that the construction and operation of the Principal Development is a nationally significant development which should be authorised via the development consent regime under the Act. HWL requests that the Section 35 direction confirms that the Principal Development is to be treated as development for which development consent is required.
- 4. REASON FOR THE REQUEST**
- 4.1 HWL considers that the Principal Development would constitute a nationally significant infrastructure project pursuant to sections 14(i) and 23 of the Act, namely because it “*forms part of a nationally significant infrastructure project*” within the meaning of Section 31 of the Act as it would form part of the wider expansion at Heathrow supported by the Airports National Policy Statement¹ (ANPS). The ANPS sets out the Government’s policy on the need for new airport capacity in the South East of England and the Government’s preferred location and scheme to deliver new capacity, namely the “Northwest Runway scheme” (NRS).
- 4.2 However, in correspondence dated 20 February 2020, the Planning Inspectorate stated that, in its view, the Heathrow West project (which was in substance the same as the Project) “*could not be considered to be part of the NRS NSIP*”. Accordingly, HWL considers it is appropriate to submit this Request for the Principal Development to be treated as development for which development consent is required to avoid subsequent debate on this matter and any ensuing delay that might arise from this.
- 4.3 HWL strongly supports the Government’s position that expanding Heathrow is essential to enhancing the UK’s global connectivity, driving long-term economic growth, and improving national infrastructure. HWL also shares the Government’s belief that Heathrow expansion offers a strategic advantage to the UK, serving as a powerful catalyst for investment, job creation, and regional development across the country.
- 4.4 The Project contributes to meeting the Government’s goals and objectives both for Heathrow and the UK’s economic growth. It is preferable for the Project, consultees and the decision-maker to consider the consents required for each element through one streamlined consenting process.
- 4.5 It is also likely that HWL would require compulsory purchase powers to ensure that it would be able to compulsorily acquire the land, and rights over land, required to deliver the Project.

¹ Designated in June 2018

- 4.6 The Project would also benefit from a well-defined and clear consenting process with a fixed timescale for determination to ensure that it can be consented by July 2029 and meet the Government's objectives in respect of Heathrow expansion. These benefits are offered by the DCO process but not the local consenting process.
- 4.7 There is also the potential for the Project to need to address issues of co-ordination with existing and proposed projects, including proposals for a third runway at Heathrow. Again, our view is that the DCO process provides the best forum for such matters to be dealt with efficiently.
- 4.8 In addition, a Section 35 direction is required to provide certainty as to the relevant consenting regime for the Project, given its national significance and for procedural fairness so that applications for elements of the NRS may all be considered pursuant to the same regime.

5. NATIONAL SIGNIFICANCE OF THE PROJECT

National Policy

- 5.1 The ANPS sets out the Government's policy on the need for new airport capacity in the South East of England and the Government's preferred location and scheme to deliver new capacity, namely the NRS. The ANPS identifies terminal infrastructure as a key component of the NRS and gives specific policy support to such terminal infrastructure:

"1.15 In particular, the Secretary of State will use the Airports NPS as the primary basis for making decisions on any development consent application for a new Northwest Runway at Heathrow Airport, which is the Government's preferred scheme. The policies in the Airports NPS will have effect in relation to the Government's preferred scheme, having a runway length of at least 3,500m and enabling at least 260,000 additional air transport movements per annum. It will also have effect in relation to terminal infrastructure associated with the Heathrow Northwest Runway scheme and the reconfiguration of terminal facilities in the area between the two existing runways at Heathrow Airport. For the avoidance of doubt, the Airports NPS does not identify any statutory undertaker as the appropriate person or appropriate persons to carry out the preferred scheme.

*1.16 It is possible that an applicant for development consent in respect of the preferred scheme will promote more than one application for development consent, dealing with different components individually. To the extent that this is the case, the Secretary of State will apply the Airports NPS to such applications to the extent that he or she determines to be appropriate in the circumstances."*² (our emphasis)

- 5.2 The Project, therefore, provides a key component of the NRS as supported by the ANPS. In addition, HWL note that paragraph 4.11 of the ANPS provides flexibility as to the form of development for which a DCO application may be made and makes clear that this is a matter

² Paragraphs 1.15 and 1.16 of the ANPS.

for the applicant. The ANPS does not prejudice the viability or merits of any particular application, detailed scheme or applicant.

- 5.3 On 29 January 2025, the Chancellor of the Exchequer – Rt Hon Rachel Reeves MP – announced that the Government backs expansion at Heathrow to kickstart economic growth and that it would review the ANPS to facilitate this.
- 5.4 On 26 June 2025, the Secretary of State for Transport issued a letter inviting proposals for a third runway at Heathrow that noted the Government’s clear objective to enable delivery of a third runway by 2035, with applications for planning consent coming forward in time to enable a decision to be made this Parliament (i.e., by July 2029).
- 5.5 On 22 October 2025, Secretary of State made a statement to the House of Commons launching the Government’s review of the ANPS, inviting further information from HWL and Heathrow Airport Limited as to which scheme to take forward in the ANPS review.
- 5.6 On 25 November 2025, the Secretary of State confirmed in a written statement to Parliament that the proposal put forward by Heathrow Airport Limited would inform the ongoing review of the ANPS. The statement also provided an update on timing and that the Government will consult on any amendments to the ANPS by July 2026.
- 5.7 HWL understands that terminal infrastructure remains a critical component of Heathrow expansion and will remain in any updated ANPS following completion of the Government’s review.
- 5.8 The above demonstrates national planning policy support for the delivery of expansion at Heathrow, with recognition that there is an urgent need for this infrastructure, including terminal infrastructure to support a third runway. There is also policy support for the Project to be consented by July 2029.

National significance

- 5.9 At the outset, HWL is cognisant that one of the driving forces behind the Act was the prolonged planning process that resulted in planning permission for Terminal 5. This was set out in a 2007 Government White Paper³ (with the Act implementing proposals set out in the paper), which noted that: “*the process for dealing with major infrastructure projects, from submission of the proposal to decision in particular, is too slow and complicated. It took seven years to get to a decision on Heathrow Terminal 5...*” and that “*the planning process for Heathrow’s Terminal 5...illustrates many of the problems with the current system*”. In other words, the purpose of the Act and the NSIP regime is to capture and deliver infrastructure of the nature of the Project. HWL does not consider it appropriate to circumvent the Act by virtue of technicalities.

³ *Planning for a Sustainable Future*, Cm 7120 dated May 2007

- 5.10 In addition, there is precedent for infrastructure that forms a key component of wider nationally significant infrastructure to be directed into the Act for similar reasons. On:
- 5.10.1 5 July 2022 the Secretary of State for the Department for Energy Security and Net Zero issued a Section 35 direction in respect of the HyNet Northwest Hydrogen Pipeline on the basis that criteria 4 of Section 20 of the Act may not have been met in respect of that project;
 - 5.10.2 22 November 2024 the Secretary of State for the Department for Energy Security and Net Zero issued a Section 35 direction in respect of the H2NorthEast Project which included pipelines on the basis that there was uncertainty as to whether the threshold in section 21 of the Act of the Act would have been met in respect of that project;
 - 5.10.3 10 June 2025 the Secretary of State for the Department for Energy Security and Net Zero issued a Section 35 Direction in respect of the Humber Hydrogen Pipeline Project which included a 50km pipeline that would link proposed hydrogen production facilities (such as the Aldbrough Hydrogen Storage Limited which itself was as an NSIP) to a crossing under the River Humber which would enable further future connections to the hydrogen pipeline on the south bank of the River Humber.
- 5.11 HWL considers the Principal Development, and the proposed Project of which it forms part, to be of national significance for the reasons set out below.
- 5.12 Firstly, the Principal Development is necessary to deliver a key component of the NRS, which is critical for Heathrow expansion as supported by the ANPS. Heathrow expansion is required to meet the Government's growth ambitions and a critical component of such expansion is delivery of new terminal infrastructure, which the Project would deliver.
- 5.13 Critically, permitting components of the NRS to be promoted separately and by separate promoters – such as the Principal Development by HWL – would introduce competition to the delivery of Heathrow expansion, with the potential to deliver significant benefits for airport users. HWL considers this is the most effective means of securing lower prices, higher quality, greater innovation and efficiency, and better choice for customers.
- 5.14 By issuing a direction that the Principal Development is development for which development consent is required would result in different forms of competition being possible at various stages of expansion to secure maximum benefit: from development and genuinely increased airline competition to, ultimately, competition in airport operation. These economic benefits are likely to be compounded with each additional layer of competition.
- 5.15 Introducing competition upstream in the design of a key component of Heathrow expansion and development of a DCO application for the terminal infrastructure provides a greater opportunity to drive economic benefit from innovation and productivity throughout the expansion project and in the supply chain for delivery and operation, rather than focusing

solely on output competition in the form of greater airline competition as would be the case if a single promoter were to promote the entirety of the NRS.

- 5.16 The potential benefits of terminal competition were envisaged by the Competition Commission in 2009 in the context of the market investigation into BAA. Since then, numerous studies have recognised its potential benefits, which include “*driv[ing] improved efficiency, increased choice and driv[ing] down prices*” (report by Walbrook Economics, 2019), “*encourage[ing] investment in terminal capacity consistent with market demand, ensur[ing] terminal facilities are provided in an efficient manner, lower[ing] regulatory costs in the longer run, and reduc[ing] the need for price controls manifesting in incentives for both parties to keep prices low and quality high and respond to customer requirements*” (report by Adam Smith Institute which makes the case for building competition in the aviation sector, 2019), “*a more efficient delivery of required additional terminal capacity*” (report prepared by Frontier Economics on behalf of easyJet in connection with the debate around the issues investigated by the Competition Commission’s market investigation, 2008), and most recently, a review of HWL’s pre-pandemic proposals carried out by Arcadis in 2020 which found that “*evidence that such competition is in the interests of passengers*”.

Creating a level playing field

- 5.17 Introducing competition would also create a level procedural playing field for HWL to promote the Project through the DCO process in the same way as other promoters (such as Heathrow Airport Limited (HAL)) will be. HWL is not seeking any particular outcome at this stage but rather, in the interests of procedural fairness, clarity that it will have the opportunity to advance its case via the same DCO process as HAL will be utilising.
- 5.18 The importance of creating this level playing field is also recognised by the Civil Aviation Authority (CAA). In its latest consultation paper⁴, the CAA reaffirms its position that the creation of a level playing to promote competition in the planning process for capacity expansion at Heathrow should provide benefits to consumers:

“1.28 In the September 2025 Update, we said we would allow the recovery of efficient early planning costs for other promoters with credible and appropriately mature proposals, as this should provide benefits to consumers by creating a “level playing field” to promote competition in the planning of capacity expansion”

...

2.113 We remain of the view that other promoters with credible and appropriately mature proposals should be able to recover their early costs on an equivalent basis to HAL as part of a ‘level playing field’ approach. We consider this approach is in the interests of consumers by facilitating competition for expansion and providing incentives for each

⁴ CAA, “Proposals on the regulatory treatment of early costs of capacity expansion at Heathrow airport” CAP3201, published 16 December 2025

promoter to make sure early costs are efficient and support a successful application for development consent. Such an approach would also be consistent with the timely delivery of expansion and benefits to consumers.

...

3.14 Our view is that other promoters with credible and appropriately mature proposals should be able to recover early costs on an equivalent basis to HAL as part of a 'level playing field' approach. This furthers the interests of consumers by promoting competition in the planning process to identify more effective and efficient solutions for capacity expansion." (our emphasis)

- 5.19 It should be noted that the CAA found the planning work by HWL between the Government's January 2025 and November 2025 announcements to be "*credible and appropriately mature*" such that the CAA's provisional view is that HWL should recover its costs for that period.
- 5.20 Notwithstanding the Government's announcement to take forward the HAL scheme in its review of the ANPS, HWL considers the CAA's views are relevant in that the benefit of a level playing field clearly derives from there being multiple promoters. Multiple promoters bringing forward proposals would introduce competition into the planning process; the benefits of competition envisaged by the CAA would not be delivered if a single promoter promoted multiple proposals.
- 5.21 Accordingly, HWL considers that the Request should be granted to create a level procedural playing field in the interests both of procedural fairness and providing benefits to consumers by facilitating competition in the planning process.

6. THE REQUEST

- 6.1 Taking account of the above, we request that the Secretary of State provides a direction that the Principal Development be treated as development for which development consent is required pursuant to Section 35(1) of the Act.
- 6.2 We request that the direction issued by the Secretary of State confirms, pursuant to Sections 35ZA(3)(b) and 35ZA(5) of the Act, that:
- 6.2.1 an application for a consent or authorisation mentioned in section 33(1) or (2) of the Planning Act 2008 for the Principal Development is to be treated as a proposed application for which development consent is required;
 - 6.2.2 the provisions of or made under the Act apply in their entirety to the Principal Development;
 - 6.2.3 the Airports National Policy Statement applies to the development subject to this Request, and that any application should be determined in accordance with Section 104 of the Act; and

6.2.4 to the extent that any consultation carried out by the applicant prior to the date of a Section 35 direction complies with the requirements of Part 5 of the Act (or any legislation made under that Part), those consultation requirements shall be treated as having been complied with notwithstanding that the consultation was carried out prior to the date of the direction.

7. QUALIFYING REQUEST

7.1 The Request is a qualifying request for the purposes of Section 35ZA(11) of the Act.

7.2 For the purposes of Section 35 of the Act, we confirm that the Principal Development:

7.2.1 forms part of a project (or proposed project) in the field of transport and so satisfies the condition in Section 35(2)(a);

7.2.2 will (when completed) be wholly in England and so satisfies the condition in Section 35(2)(b).

7.3 For the purposes of Section 35ZA(1) of the Act, we confirm that no application for a consent or authorisation mentioned in section 33(1) or (2) has been made in relation to the development to which the Request relates.

7.4 By virtue of Section 35(2)(c), the Secretary of State must think that the Principal Development is of national significance, either by itself or when considered with one or more other projects (or proposed projects) in the transport field. The above analysis sets out the national significance of the Principal Development (and the Project generally) and the other projects in the transport field to which it relates.

8. CONCLUSION

8.1 This Request has demonstrated the national significance of the Project and the contribution that the Project would make to delivering the Government's ambition for investment, job creation and regional development across the country arising from expansion at Heathrow.

8.2 By progressing the Project through the Act, it would provide the certainty of a single, unified consenting process with a fixed timescale for determination. It will reduce the need to apply for separate consents from the local planning authority and other bodies, and it will also remove the potential requirement to make one (or more) separate compulsory purchase order.

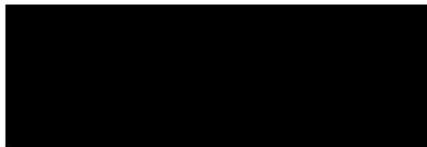
8.3 In addition, the Project will benefit from being assessed comprehensively through the same clear process and in a consistent manner by the same decision maker as other elements (such as the third runway) that may be brought forward by other promoters, avoiding duplication of work and reducing the burden on the various consenting authorities.

8.4 It would also ensure procedural fairness as the Project would be assessed through the DCO regime in the same way as other elements of the NRS. Submission of the Request at this stage is appropriate as it gives HWL absolute certainty that the Principal Development will be

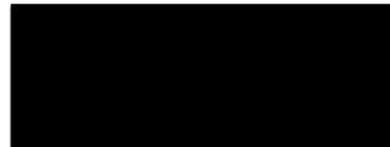
classified as nationally significant and so that it can proceed at pace with a DCO application to meet the Government's ambitions. HWL is mindful of the Government's ANPS review but considers that:

- 8.4.1 this Request is not premature as it will provide clarity now that HWL can progress work on a DCO just as it understands HAL is also doing; and
- 8.4.2 this clarity is essential at this stage to avoid:
- (a) delays to HWL preparing its DCO application such that it can meet the Government's ambitions;
 - (b) the risk of HWL's intended DCO application being prejudiced by any delay caused by the Government's refusal to make a timely decision on this Request to enable HWL to make a DCO application in competition with HAL's (with all the benefits that such competition would bring as explained in section 5 above).
- 8.5 We trust this provides you with the information you require but please let us know if you require anything further. We look forward to hearing from you as soon as possible and, in any event, within 28 days from receipt of this letter.
- 8.6 If you require any further details, please do not hesitate to contact 


Yours sincerely,



Surinder Arora
Chairman – The Arora Group



Carlton Brown
CEO – Heathrow West Limited