

[REDACTED]

Head of the Transport Infrastructure Planning Unit

By email: [REDACTED]

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19th January 2026

Heathrow West Terminal (the Project)

Request for Section 35 Direction (the Request)

Planning Act 2008 (the Act)

- 1.1 Thank you for your letter of 6 January 2026 requesting further information in respect of the Request (the **RFI**) on four identified points. We have set out below a response to those matters raised in the RFI. Defined terms are as set out in the Request, unless otherwise defined.
- 1.2 In summary, our response to the RFI is as follows:
 - 1.2.1 in respect of the first bullet point in the RFI: the Project meets the criteria set out in both sections 22 (see paragraphs 2.7 – 2.12 below) and 23 (see Table 1 below and the associated appendices to this letter) of the Act. The reasons that have previously been given to PINS as to why the Heathrow West project (which is in substance the same as the Project) meets the criteria in section 23 of the Act is set out in Table 1 below;
 - 1.2.2 in respect of the second bullet point in the RFI: HWL considers that notwithstanding the cited judgment, the Secretary of State could direct pursuant to section 35Z(A) of the Act that section 104 of the Act and the ANPS apply to the Principal Development on the basis that the Principal Development is already development for which the ANPS has effect;
 - 1.2.3 in respect of the third bullet point in the RFI: a copy of the advice provided by PINS is provided at **Appendix 9** to this letter. The description of the project that PINS advised on in 2020 (the ‘Heathrow West project’) is provided as an appendix to the March 2020 Opinion at **Appendix 11** to this letter – this description is the same in all material respects as the description of the Project provided at section 3 of the Request; and
 - 1.2.4 in respect of the fourth bullet point: approximately 7.9km of new highway forming part of the strategic road network (SRN) would be created by the Project. Further detail on the proposed works to the SRN and engagement with National Highways is provided at section 4 below.

2. WHETHER IN HWL’S VIEW THE PROJECT IS AN NSIP AND CORRESPONDENCE WITH PINS IN THIS RESPECT

2.1 Bullet point 1 of the RFI requests the following information:

“Whether in your [HWL’s] view, the Project meets the criteria set out in sections 22 and/or 23 of the Act and any details to support this. Please provide any reasons you have been given as to why it would not meet the criteria.”

2.2 This is linked to the third bullet point in the RFI, which requests the following information:

“Paragraph 4.2 of your letter references advice provided by the Planning Inspectorate on 20 February 2020 in relation to the ‘Heathrow West Project’ which “was in substance the same as the Project”. Please could you provide a copy of this advice and set out how the Project differs from the one the Planning Inspectorate advised on in 2020.”

2.3 Firstly, it is important to establish how (if at all) the Project differs from the one the Planning Inspectorate (**PINS**) advised on in 2020. The appendix to Counsel’s opinion provided at **Appendix 11** to this letter is a description of the principal components and specification of the development of the ‘Heathrow West project’ in 2020. This description is in substance the same as the description of the Project provided at section 3 of the Request. Therefore, HWL considers that the analysis below as to whether the Heathrow West project meets the criteria set out in section 23 of the Act equally applies to the Project.

2.4 Table 1 below sets out a summary of correspondence with PINS on whether the ‘Heathrow West project’ – which as identified above is in substance the same as the Project – would be an NSIP. This arose in the context of requests made by HWL for rights to enter land pursuant to section 53 of the Act.¹

¹ Copies of the correspondence are appended to this letter, together with supporting information insofar as relevant to the consideration of whether the Heathrow West project is an NSIP. Should you require copies of any other cited supporting information that is not provided with this letter, please let us know.

Table 1 – Summary of engagement with PINS on NSIP status of the Heathrow West project

Date	Matter	Appendix reference
12 November 2019	CMS Cameron McKenna Nabarro Olswang LLP (CMS) – legal advisers to HWL – submitted six requests for rights of entry pursuant to section 53 of the Act to PINS (the Section 53 Requests).	Appendix 1
13 November 2019	PINS acknowledged receipt of the Section 53 Requests.	Appendix 2
28 November 2019	PINS wrote to CMS requesting the following information: <i>“1.3. The Inspectorate requests the Applicant provides further information in the form of detailed explanation to address the following: a) Which NSIP the Proposed Development forms part of and an explanation of why the Applicant takes this view with reference to s14 and s23 of the PA2008. The explanation should include details of any agreement made between relevant parties in this regard; b) How, if part of an NSIP, the Proposed Development can be considered to be a distinct project; and c) The extent to which the Proposed Development is capable of being an NSIP in its own right with reference to s14 of the PA2008.”</i>	Appendix 3
13 December 2019	CMS responded to PINS letter dated 28 November with a letter which (amongst other things) enclosed an opinion from Charles Banner QC (as he then was) and Matthew Henderson of Landmark Chambers ² (together Counsel) dated 12 December 2019 (the December 2019 Opinion). The December 2019 Opinion set out Counsel’s view	Appendix 4 Appendix 5

² It should be noted that Lord Charles Banner KC is now at Keating Chambers.

	<p>that the Heathrow West project is an NSIP on the basis that it “<i>forms part of</i>” qualifying “airport-related development” pursuant to section 31 of the Act.³ The December 2019 Opinion also considered whether the Heathrow West project would be an NSIP/development for which a development consent order is required as follows:</p> <p>(a) “the first candidate route” – namely whether pursuant to section 31 of the Act, the Heathrow West Project would be an NSIP on the basis that it in itself is a qualifying “<i>airport-related development</i>” pursuant to sections 14(i) and 23 of the Act, such that the Heathrow West project would need to be the subject of a DCO application – this is not considered further on the basis that the Heathrow West project satisfies the second candidate route; and</p> <p>(b) “the third candidate route” – namely that the Secretary of State could make a direction pursuant to section 35 of the Act directing that the Heathrow West project be treated as development for which development consent is required, stating the following (our emphasis):</p> <p><i>“17. There is also a fall-back position whereby, in the event that Heathrow West was considered not to be an NSIP – contrary to our view set out below – it would be within the material scope of the Secretary of State’s power to make a direction under s.35 that there are compelling grounds for such a direction to be made on the basis that Heathrow West is a transport project in England which is of national significance “either by itself or when considered with one or more other projects or proposed projects in the same field.”</i></p> <p><i>18. We note at this juncture that the scheme or structure of this part of the 2008 Act appears to us to be plainly intended to avoid the potential for the DCO regime to be inapplicable to a proposed development which, whilst viewed in isolation is not a NSIP within the meaning of s.14, when taken together with the other applicable provisions, is nonetheless properly viewed as a component part of something broader which, when taken as a whole, either (i)</i></p>	
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³ This is “the second candidate route” – see paragraphs 16 and 21 – 28 of the December 2019 Opinion.

	<p><i>is an NSIP (in which case the component part is subject to the DCO regime by virtue of the “forms part of” limb of s.31) or (ii) is in any event of national significance (in which case the component part is within the material scope of the Secretary of State’s power to make a direction under s.35 that it should proceed under the DCO regime and there would be compelling grounds for such a direction).</i></p> <p><i>19. It would frustrate this purpose if the relevant provisions of the 2008 Act were to be interpreted in such a way that a proposed development of this nature were to ‘slip the net’ and fall outside the reach of the DCO regime. We consider that the High Court (as well as the appellate courts) would reject such an interpretation and hold that the proper construction of these provisions, consistently with the purpose outlined above, is that a development of this nature should be the subject of a DCO application under the 2008 Act rather than an application for planning permission under the 1990 Act. Our view in this respect is consistent with the judgment of Turner J. in R (Gate) v. Secretary of State for Transport [2014] J.P.L. 383 where at para. 23 he cautioned against “too narrow” an approach to the provisions of the 2008 Act that define the scope of the DCO regime on the basis that it would undermine the overarching objective of the 2008 Act of streamlining the planning process for nationally significant projects – Turner J.’s rationale being that the effectiveness of that objective would be constrained by an overly narrow approach were taken to the scope of the DCO regime.”⁴</i></p>	
13 January 2020	PINS responded to CMS’ 13 December 2019 letter further requesting the following in response to paragraph 1.3 of its 28 November 2019 letter (see above):	Appendix 6

⁴ As set out at paragraph 5.9 of the Request, 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 and, in its view, the purpose of the Act and the NSIP regime is to capture and deliver infrastructure of the Project’s nature.

	<p><i>“With respect to ‘a)’, the Counsel opinion indicates that the Proposed Development falls under s23 of PA2008 but gives examples of subsection(s) that could apply rather than confirming exactly which subsection(s) apply or which of the thresholds in s23 are exceeded. Please confirm the applicable subsection(s) and the thresholds in s23 that are exceeded by your Proposed Development.</i></p> <p><i>In relation to ‘b)’ please provide an explanation of any agreement between Heathrow West and HAL that your Proposed Development forms part of the wider NSIP being promoted by HAL, given that the HAL proposals already include terminal infrastructure.”</i></p>	
<p>20 January 2020</p>	<p>CMS responded to PINS with an updated opinion from Counsel (the January 2020 Opinion). The January 2020 Opinion sets out at paragraph 21 the applicable subsections and thresholds that would be exceeded by the Heathrow West project:</p> <p><i>“21. It is established that the NRS is an NSIP pursuant to ss.14 and 23 taken together and must be consented by a DCO. This is beyond doubt given the existence and focus of the ANPS. However, for completeness, the NSIP (of which Heathrow West is a forms part meets the following tests set out in s.23:</i></p> <ul style="list-style-type: none"> <i>a. the NRS will constitute alteration of an airport (s.23(1)(b)) as it includes the construction of a runway at the airport (s.23(6)(a)) and a building at the airport (s.23(6)(b));</i> <i>b. the airport is in England (s.23(4)(a)); and</i> <i>c. the alteration is expected to have the effect of increasing by at least 10 million per year the number of passengers for whom the airport is capable of providing air passenger transport services (s.23(5)(a)).</i> <p><i>Heathrow West is a component of the NRS and will be promoted in a way that it could not come forward without the third runway. Therefore, the logical starting point is the second candidate route.”</i></p>	<p>Appendix 7 Appendix 8</p>

	As further set out in CMS’ letter, the same subsections would apply to the Heathrow West Project under “the first candidate route” ⁵ set out in the December 2019 Opinion and January 2020 Opinion save for section 23(6)(a) of the Act as the Heathrow West project does not include a new runway. The letter also clarified that no formal agreement existed – and is not required – as between HWL and HAL that the Heathrow West project formed part of the wider NSIP being promoted by HAL.	
20 February 2020	<p>PINS provided a further response⁶ seeking further justification that the Heathrow West project formed or would form part of the NRS NSIP and stating that (our emphasis):</p> <p><i>“Heathrow Airport Ltd (HAL) proposes to deliver the NRS NSIP as part of its proposed Expansion of Heathrow 3rd Runway project. The acknowledged lack of any contractual or commercial agreement between the Applicant and HAL in respect of integrating your proposed terminal infrastructure into the HAL development consent order (DCO) and the fact that the proposed HAL scheme already contains a proposed terminal building suggests that the Heathrow West project could not be considered to be part of the NRS NSIP. The explanation provided to date by the Applicant in its letters and the updated opinion of 20 January 2020 do not appear to overcome this.</i></p> <p><i>Please provide a detailed explanation, with supporting evidence, to demonstrate that Heathrow West will form part of the NRS NSIP and in particular that Heathrow West will form part of the NRS NSIP at the time the Heathrow West DCO comes to be made.</i></p> <p><i>Please also provide any further material you wish in relation to the “first candidate route”.</i></p>	Appendix 9
5 March 2020	CMS responded to PINS’ letter on 5 March 2020 enclosing a further opinion from Counsel dated 5 March 2020 (the March 2020 Opinion) which concludes that the Heathrow West project must be consented by a DCO on	Appendix 10 Appendix 11

⁵ Namely that pursuant to section 31 of the Act, the Heathrow West Project would be an NSIP on the basis that it *in itself* is a qualifying “airport related development” pursuant to section 14(i) of the Act taken together with section 23, which would mean that it is required to be the subject of a DCO application.

⁶ This is the document referred to at paragraph 4.2 of the Request and requested in the third bullet point to the RFI.

	<p>the basis that it forms part of an NSIP (i.e., the NRS)⁷, and in any event because Heathrow West is an NSIP in its own right⁸. Also of relevance to the Request, the March 2020 Opinion states that (our emphasis):</p> <p><i>“64. In the event that the Secretary of State were to hold (unlawfully in our view, given our analysis above) that Heathrow West is not required to be progressed pursuant to the DCO process by virtue of s.31 of the 2008 Act, he is bound to consider whether, nonetheless, he should direct that it should be so progressed pursuant to s.35. As we discussed in the December Opinion at paras. 10 and 17- 19, this is the third route by which by which Heathrow West could be required to be consented by a DCO.</i></p> <p><i>65. As noted above, the trigger for a s.35 direction would be the Secretary of State concluding that Heathrow West “is of national significance, either by itself or when considered with one or more other projects (or proposed projects) in the same field”.</i></p> <p><i>66. We maintain the analysis set out at paras. 17-19 of the December Opinion in relation to the relationship between s.35 and ss. 14 and 23.</i></p> <p><i>67. We note the following features of the Heathrow West project:</i></p> <p><i>(a) It relates to Heathrow Expansion, the highest profile infrastructure scheme awaiting consent, raising issues that - regardless of the merits of the competing arguments - are undoubtedly of the highest national importance.</i></p> <p><i>(b) If consented, it would involve the principal customer interface of the new infrastructure at Heathrow within the NRS scheme – airport terminals (rather than the runway itself) are the main way in which the public experience an airport. The terminal would be the ‘public face’ of this nationally significant infrastructure scheme (i.e. Heathrow Expansion).</i></p>	
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⁷ See paragraphs 45 – 54 of the March 2020 Opinion.

⁸ See paragraphs 55 – 57 of the March 2020 Opinion.

	<p><i>(c) It would introduce competition between terminals at Heathrow Airport for the first time – indeed, for the first time at any UK airport – which is itself a matter of national significance.</i></p> <p><i>68. In the light of these features, we conclude that, in the event that a s.35 direction were needed (which we do not consider is the case for the reasons set out above), it would be irrational and unlawful not to grant it.”</i></p>	
<p>24 June 2020</p>	<p>PINS determined the Section 53 Requests on 24 June 2020 (the Determination Letter) denying the requests for rights of entry to land. Of relevance to the Request, the Determination Letter sets out PINS’ consideration of the three candidate routes set out in the December 2019 Opinion and March 2020 Opinion as follows (our emphasis):</p> <p><i>“In respect of s52(1)(b), whether the proposed application is in connection with an order granting development consent, s31 of the PA2008 states that development consent is required to the extent that the development “is or forms part of a nationally significant infrastructure project” (NSIP).</i></p> <p><i>The Inspectorate asked the Applicant to explain how the development forms part of a NSIP.</i></p> <p><i>The Applicant has provided an explanation based on three ‘candidate routes’ that explain why it considers that Heathrow West forms part of a NSIP:</i></p> <ul style="list-style-type: none"> <i>i. First candidate route - The Proposed Development is a NSIP in its own right. The Applicant references relevant thresholds in s14 and s23 of the PA2008 that it states could theoretically apply. Reference is also made to statements in the Airports National Policy Statement (ANPS) that indicate that a terminal may constitute a NSIP.</i> <i>ii. Second candidate route - A terminal is part of the ANPS defined Northwest Runway Scheme (NRS) NSIP and that its terminal would integrate with, and replace elements of, Heathrow Airport Ltd.’s application for the NRS NSIP. Heathrow West therefore requires development consent under s31 of the PA2008 in that it</i> 	<p>Appendix 12</p>

	<p><i>'forms part of a NSIP'. The Applicant emphasises that whilst the first candidate route could apply, the second candidate route is relied on to demonstrate that Heathrow West requires development consent.</i></p> <p><i>iii. Third candidate route - The Applicant also states that regardless of the first and second candidate routes, the Secretary of State could direct the proposed Heathrow West development into the PA2008 under s35 of the Act.</i></p> <p><i>The Inspectorate's consideration of the three candidate routes is as follows:</i></p> <p><i>i. First candidate route - The Applicant simply asserts with reference to the PA2008 and the ANPS that terminal development may be subject to the PA2008 regime. No evidence is presented that the PA2008 thresholds are met by the Proposed Development. The Inspectorate considers that the Applicant has not demonstrated how the Proposed Development by itself achieves the relevant passenger increases required by s23 of the PA2008 to be considered a NSIP in its own right;</i></p> <p><i>ii. Second candidate route - The Inspectorate is not persuaded that Heathrow West 'forms part of a NSIP'. The Applicant confirmed that it has no contractual or commercial link with the Heathrow Airport Limited scheme. Heathrow Airport Ltd confirmed that Heathrow West is not part of its NRS NSIP, which already includes a terminal building. Heathrow Airport Ltd also stated that no evidence is provided that the Applicant's design can integrate with and replace the relevant components of the HAL NRS NSIP in construction or operation.</i></p> <p><i>iii. Third candidate route - The Applicant is entitled to request a s35 direction and this remains open to the Applicant in future, however it has no bearing on the current s53 decision."</i></p>	
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2.5 As set out in paragraph 4.1 of the Request, 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 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 NRS.

2.6 However, given PINS’ views in the Determination Letter, HWL considered it prudent to submit the Request. HWL also agrees with Counsel that it would be unlawful and irrational not to grant the Request for the reasons set out in paragraphs 64 – 68 of the March 2020 Opinion. Indeed, the benefits arising from the introduction of competition at Heathrow and the creation of a level playing field have also subsequently been independently recognised by the CAA as detailed in paragraphs 5.17 – 5.21 of the Request.

Does the Project meet the criteria in section 22 of the Act?

2.7 Section 22 of the Act sets the criteria for highways NSIPs, namely that highway-related development will be an NSIP where:

2.7.1 the highway will (or in the case of construction of a highway will when constructed) be wholly in England;

2.7.2 the Secretary of State or a strategic highways company is the highway authority for the highway; and

2.7.3 the area of land on which the proposed works on the highway would be constructed/alterated and any adjoining land expected to be used in connection with such construction/alterations would exceed the following thresholds:

(a) 15 hectares in relation to the construction or alteration of a motorway;

(b) 12.5 hectares in relation to the construction or alteration of a highway, other than a motorway, where the speed limit for any class of vehicles is expected to be 50 miles per hour or greater; and

(c) 7.5 hectares in relation to the construction or alteration of any other highway.

2.8 The following works comprising part of the Project would be undertaken on highway where the Secretary of State or a strategic highways company is (or would be) the highways authority:

2.8.1 alterations to junctions 14 and 14a of the M25; and

2.8.2 diversions, alterations and improvements to the A3113.

2.9 The A4 and that part of the A3044 affected by the Project are not highway where the Secretary of State or strategic highways company is the highway authority.

- 2.10 A preferred masterplan is being developed for the Project which HWL will continue to refine prior to formal submission of its DCO application. However, initial work suggests that the area of land for each of these proposed works would be as follows:
- 2.10.1 alterations to junctions 14 and 14a of the M25 – preliminary scoping (see **Appendix 14** to this letter) suggests the total area of land would be 21.24ha exceeding the NSIP threshold for alteration of a motorway. Current modelling does not include land required for temporary road/utility diversions, construction, or environmental mitigation and as such, it is likely that the area required for the M25 works would be greater than 21.24ha; and
- 2.10.2 diversions, alterations and improvements to the A3113 – preliminary scoping (see **Appendix 15** to this letter) suggests the total area of land would be 8.77ha falling below the NSIP threshold for alteration of a highway, other than a motorway, where the speed limit for any class of vehicles is expected to be 50 miles per hour or greater. However, current modelling does not include land required for temporary road/utility diversions, construction, or environmental mitigation. It is likely that once designed, these areas would exceed 3 hectares such that the 12.5 ha threshold set out in paragraph 3.7.3(b) would also be exceeded.
- 2.11 Therefore, elements of the Project meet the criteria set out in section 22 of the Act.
- 2.12 HWL considers that this underlines the national significance of the Project as a whole such that the Request should be granted.

Does the Project meet the criteria in section 23 of the Act?

- 2.13 HWL considers that the Project does meet the criteria in section 23 of the Act for the reasons set out in the December 2019 Opinion, January 2020 Opinion and March 2020 Opinion as summarised in Table 1 above.

3. SECTION 104 OF THE ACT

- 3.1 Bullet point 2 of the RFI asks the following questions in respect of section 104 of the Act:
- “Paragraph 6.2.3 of your letter requests a direction pursuant to section 35ZA(3)(b) and (5) that “any application should be determined in accordance with Section 104 of the Act”. Please clarify whether you are seeking this direction in the event that the Project does not meet the criteria set out in sections 22 and/or 23 of the Act, or for another reason? If the former, could you please provide a view on whether that approach would be consistent with the judgment in EFW Group Limited v Secretary of State for Business, Energy and Industrial Strategy?”*
- 3.2 Section 104 of the Act requires an application for development consent to be determined in accordance with the relevant NPS.
- 3.3 In the cited judgment, there were two separate and distinct waste-to-energy facilities – one which was an NSIP and one which was not but was directed into the DCO regime by a section

- 35 direction. The applicant submitted a single DCO application for both projects. The decision on the DCO application by the Secretary of State was taken on the basis that both elements should be determined pursuant to Section 104 (i.e., that they be determined in accordance with the relevant NPS).
- 3.4 HWL considers that the cited judgment is authority for the following:
- 3.4.1 adding non-NSIP development to a DCO application alongside NSIP development will not mean that an NPS (which applies to NSIPs) will automatically apply to the non-NSIP development. This would enlarge the scope of the NPS so as to include a project to which it was not designed to apply and would clearly run contrary to the overall statutory scheme; and
- 3.4.2 section 35(1) does not have the effect of turning a project or development which does not fall within the definition of NSIPs provided within sections 14 and 15 of the 2008 Act into a project which has such a designation.
- 3.5 Plainly the Project can be distinguished from the judgment in both of these respects.
- 3.6 First, HWL is not seeking to combine non-NSIP development with NSIP development in a single application.
- 3.7 Secondly, HWL’s position – as set out in the Request and as further explained in Section 2 above – is that the Principal Development constitutes an NSIP. HWL is cognisant that the Secretary of State is not considering specifically whether a scheme is an “NSIP” pursuant to the Act for the purposes of determining an application made pursuant to section 35 of the Act. Whether a scheme is an NSIP is a procedural decision at the point a DCO application is submitted to PINS.
- 3.8 Rather, for the purposes of section 35, the Secretary of State needs to be satisfied that a project is of national significance such that it is development for which development consent is required. Plainly the Principal Development satisfies this criteria.
- 3.9 HWL maintains that the Project is an NSIP for the reasons set out in section 2 above. Notwithstanding this and given the indication from PINS in 2020 that it was not persuaded that the Heathrow West project would constitute an NSIP, HWL considered it is necessary to submit the Request. As explained in the Request, an important reason why a section 35 direction is being sought now is precautionary in the event that in due course HWL’s primary position that the Project is an NSIP is not accepted by PINS. Therefore, a direction by the Secretary of State pursuant to the Request would provide the necessary certainty now to enable HWL to prepare a DCO application on a level playing field. Again, this has recently been independently recognised as benefit by the CAA.
- 3.10 Notwithstanding the judgment cited in the RFI, HWL considers that the Secretary of State could pursuant to section 35Z(A) of the Act direct that section 104 of the Act and the ANPS apply to the Principal Development on the basis that the Principal Development is already development for which the ANPS has effect.

- 3.11 For the avoidance of doubt, if the Secretary of State is not minded to grant this part of the Request, HWL considers that the ANPS would automatically apply to the Principal Development – and the wider Project. It is plainly development to which the ANPS already applies on the proper reading of the ANPS⁹, which expressly states that it considers the provision of a new terminal to be a NSIP in its own right at paragraph 1.40 (our emphasis):

*“1.40 The Airports NPS has effect in relation to the delivery of additional air capacity through the provision of a Northwest Runway at Heathrow Airport. It also applies to proposals for new terminal capacity located between the new Northwest Runway and the existing Northern Runway at Heathrow Airport, as well as the reconfiguration of terminal facilities in the area between the two existing runways at Heathrow Airport. **Each of these elements is also capable of constituting a nationally significant infrastructure project.**”*

4. SURFACE ACCESS IMPROVEMENTS

- 4.1 The fourth bullet point of the RFI requests the following information in respect of surface access improvements:

“With regard to the proposed improvements to surface access, please could more information be provided on the extent of the proposed works on the Strategic Road Network including the likely length of road to be impacted and any views provided on this by National Highways.”

Proposed surface access works on the SRN

- 4.2 A plan showing the proposed external highway works forming part of the Project is provided at **Appendix 13** to this letter – this includes highway not forming part of the SRN that will also be impacted by the Project.

- 4.3 The proposed works to the SRN comprise the following:

4.3.1 transfer of the Junction 14A slip roads south to align with the new access into Terminals 5 and 6 through the creation of a new dedicated slip roads around / over Junction 14, and the demolition of the existing Junction 14A slip roads (except the bridge across the M25); and

4.3.2 A3113 link from M25 Junction 14 and the new access into Terminals 5 and 6 comprising the realignment of the current 50mph dual carriageway,

and, in total, would create approximately 7.9km of new road on the SRN.

- 4.4 Works to divert the M25 mainline to facilitate the construction of the third runway would be expected to be delivered by HAL and hence are excluded from the Project. In addition, there will be impacts on highways beyond the SRN that will be impacted.

Engagement with National Highways

- 4.5 A summary of engagement with National Highways is provided at Table 2 below. HWL consulted on the Heathrow West project in 2019 during which time that scheme was

⁹ See also paragraphs 15-22 and 54 of the March 2020 Opinion.

developed to address comments from National Highways and other stakeholders. As you are aware, there was then a period following the COVID-19 pandemic where Heathrow expansion was paused until the Government announced its support for expansion in January 2025. The consultation undertaken in 2025 related to a scheme promoted by HWL which also included a third runway with different surface access proposals, albeit the 2025 proposals included the same proposed works to the M25 and A3113 summarised at paragraph 4.3 above.

4.6 A preferred masterplan is being developed for the Project which HWL will continue to refine prior to formal submission of its DCO application. HWL will engage with statutory consultees (including National Highways), the local community and other stakeholders to refine the design of the Project prior to formal submission of its DCO application

Table 2 – Summary of consultation undertaken with National Highways

Meeting date	Summary
16 July 2019	Introductory meeting to present the proposed development and the developing relationship between Highways England ¹⁰ and HWL. Discussion of the emerging plans and proposals regarding the SRN including proposed plans during construction and operation of the Heathrow West project.
8 August 2019	Discussion of access arrangements regarding the SRN with reference to junction arrangements on the M25.
20 November 2019	HWL and its consultants provided an update of progress on the project including presenting assessment methodology undertaken during optioneering process.
17 December 2019	HWL and its consultants attended a full day workshop with National Highways covering topics and discussions which included discussion of the following: <ul style="list-style-type: none"> • an introduction to the Heathrow West project, • DCO planning and process, • integration with HAL’s scheme integration; • masterplan; • green infrastructure; • rivers strategy; • SRN access arrangements;

¹⁰ As National Highways then was

	<ul style="list-style-type: none"> • modelling assumptions and methodology; and • construction.
23 September 2025	Reintroduction to the proposed development and ANPS update. Discussion / clarification of queries raised regarding Heathrow West submission to DfT in July, including highway design, transport modelling and engagement strategy.

5. CONCLUSION

- 5.1 HWL maintains that the Request and the further information provided with this letter demonstrate the national significance of the Principal Development and the wider Project.
- 5.2 Granting the Request would 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.
- 5.3 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.
- 5.4 If you require any further details, please do not hesitate to contact 


Yours sincerely,



Carlton Brown
CEO – Heathrow

LIST OF APPENDICES

- 1.1 Appendix 1: the Section 53 Requests
- 1.2 Appendix 2: PINS letter to CMS dated 13 November 2019
- 1.3 Appendix 3: PINS letter to CMS dated 28 November 2019
- 1.4 Appendix 4: CMS letter to PINS dated 13 December 2019
- 1.5 Appendix 5: the December 2019 Opinion
- 1.6 Appendix 6: PINS letter to CMS dated 13 January 2020
- 1.7 Appendix 7: CMS letter to PINS dated 20 January 2020
- 1.8 Appendix 8: the January 2020 Opinion
- 1.9 Appendix 9: PINS letter to CMS dated 20 February 2020
- 1.10 Appendix 10: CMS letter to PINS dated 5 March 2020
- 1.11 Appendix 11: the March 2020 Opinion
- 1.12 Appendix 12: the Determination Letter
- 1.13 Appendix 13: Plan showing proposed external highway works
- 1.14 Appendix 14: Plan showing proposed extent of M25 works
- 1.15 Appendix 15: Plan showing proposed extent of A3113 works