



DIRECTION BY THE SECRETARY OF STATE FOR TRANSPORT (“THE SECRETARY OF STATE”) UNDER SECTION 35 OF THE PLANNING ACT 2008 RELATING TO THE HEATHROW WEST TERMINAL PROJECT

By a letter to the Secretary of State received on 17 December 2025, and supplementary information provided on 19 January and 16 February 2026, Heathrow West Limited (“the Applicant”) provided a written request for a Section 35 Direction (“the Request”) under the Planning Act 2008 (“PA2008”) formally requesting that the Secretary of State exercise the power, vested in her under section 35(1) of the PA2008, to provide a Direction in relation to the following:

- (i) an application for a consent or authorisation mentioned in section 33(1) or (2) of the PA2008 for the Applicant’s Proposed Development to be treated as a proposed application for which development consent is required;
- (ii) the provisions of or made under the Act apply in their entirety to the Applicant’s Proposed Development;
- (iii) the Airports National Policy Statement (“ANPS”) applies to the development subject to the Request, and that any application should be determined in accordance with section 104 of the Act; and
- (iv) 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 PA2008 (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.

The Secretary of State has considered each of these below.

In so doing, the Secretary of State has had regard to paragraph 3.2 of the Request of 17 December 2025 which defines the Principal Development, and which is intended to be covered by the term “the Proposed Development” to which this Direction relates.

The Proposed Development is to comprise:

- A new passenger terminal building and related infrastructure, including apron capacity.
- A satellite pier attached to the terminal building, providing access for passengers and gates.
- Expansion of the existing airfield, including taxiways, aprons and stands.

- The above provides capacity for 40 million passengers per annum (“mppa”) as confirmed in the supplementary information provided by the Applicant on 16 February 2026.

The Secretary of State notes that there are further elements beyond the Proposed Development that comprise the Applicant’s project as a whole (which is set out at paragraphs 3.3.1 to 3.3.8 of the Request of 17 December 2025). These further elements are not considered to form part of the Request and are therefore not considered further in the Secretary of State’s Direction. The Secretary of State notes that these further elements (including surface access improvements) may in themselves constitute development for which development consent is required.

Considerations (i) and (ii)

The Secretary of State notes section 55(3) of the PA2008, which states that “the Secretary of State may accept the application only if the Secretary of State concludes that development consent is required for any of the development to which the application relates.” The Planning Inspectorate would need to be satisfied either that it is a Part 3 NSIP or there is a section 35 direction in place. The Secretary of State therefore considers that this section 35 Direction will only have application in circumstances where the Planning Inspectorate does not consider that the Proposed Development meets the relevant thresholds.

Subject to the above, the Secretary of State is satisfied that—

- the Proposed Development sits within one of the qualifying infrastructure fields listed in section 35(2)(a)(i) (transport);
- The Proposed Development will, when completed, be wholly within England (section 35(2)(b) and (3));
- Having considered the details of the Applicant’s proposals as set out in the letters of 17 December 2025, 19 January and 16 February 2026, the Secretary of State concludes that the Proposed Development is nationally significant (section 35(2)(c)), for the reasons set out in the Annex below;
- the provisions of or made under the Act apply to the entirety of the Proposed Development as defined above; and
- the Applicant’s request at (i) and (ii) above constitute a “qualifying request” in accordance with section 35ZA(11) of the PA2008.

The Secretary of State considers that if the details of the Proposed Development change, before submitting any application to the Planning Inspectorate, the Applicant may wish to seek confirmation from the Secretary of State that the development that is the subject of the proposed application is the same as that for which the Direction is hereby given.

Consideration (iii) and (iv)

The Secretary of State considers that the requests set out above at (iii) and (iv) do not fall within the remit of a section 35 Direction.

Any application submitted by the Applicant pursuant to the section 35 Direction has the effect of allowing that project to be treated as development for which development consent is required, even though the NSIP thresholds are not satisfied. The section 35 Direction does not have the effect of automatically bringing any future application within the scope of the decision-making framework under section 104. The Secretary of State considers that, subject to any future application being accepted by the Planning Inspectorate for Examination, it is for the Examining Authority to consider, and make a recommendation on, whether and which National Policy Statement has effect, and where appropriate, apply the framework under section 104 of the PA2008.

Similarly, the Secretary of State considers that it is for the Examining Authority to consider whether any consultation carried out by the Applicant prior to the date of this Direction would comply with the requirements of Part 5 of the PA2008.

This Direction does not constitute a decision on the merits of the Applicant's proposal, only whether the Request meets the criteria set out in section 35 of the PA2008 to be considered nationally significant and therefore requires an application for development consent. The Direction is therefore given without prejudice to the Secretary of State's consideration of any future application for development consent made in relation to the Proposed Development.

Signed by

Natasha Kopala
Head of the Transport Infrastructure Planning Unit

ANNEX

REASONS FOR THE DECISION TO ISSUE THE DIRECTION

The Secretary of State is of the opinion that the Direction should be issued in light of:

- Information provided by the Applicant in their request on 17 December 2025, and supplementary information provided on 19 January and 16 February 2026, that the Proposed Development will result in additional terminal capacity of circa 40mppa at London Heathrow airport, the UK's largest airport, and therefore it is of significance to the UK's aviation sector as a whole.
- The Secretary of State agrees with the Applicant's statement at paragraph 4.3 of its Request that expanding Heathrow is essential to enhancing the UK's global connectivity, driving long-term economic growth, and improving national infrastructure.
- As per paragraph 5.3 of the Applicant's Request, on the 29 January 2025, the Chancellor of the Exchequer announced that the Government backs expansion at Heathrow to kickstart economic growth.
- Progressing the Proposed Development through the PA2008 development consent process would provide the certainty of a single, unified consenting process and fixed timescales.