



**Karen Dee**  
Chief Executive

Rt Hon Heidi Alexander MP  
Secretary of State for Transport  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

Rt Hon Angela Rayner MP  
Secretary of State for Housing,  
Communities & Local Government  
Ministry of Housing, Communities & Local Government  
2 Marsham Street  
London SW1P 4DF

24 July 2025

Dear Secretaries of State,

I am writing to you to raise issues of concern that have emerged from the Planning Inspectorate's (PINS) recommendation report into Gatwick Airport's DCO and DfT's response to it. I would like to make clear I and AirportsUK are not making representations on Gatwick's DCO itself, as that is a matter for that airport individually to take up with Government. AirportsUK does not take stances on, or advocate for, individual airport's planning proposals. However, this letter does rely on information in the public domain, which is of relevance to all airport development proposals that may come forward in the future.

Our membership has raised worries over some of the issues raised by the PINS report and the Government response. They believe these could have a negative effect on the investment climate for potential airport developments in the UK. Therefore, this letter is aimed at raising those issues that could affect airport planning, and to seek clarity from your department over policy and the planning system. We would not expect any response that could be construed as a comment on the Gatwick DCO itself.

My members' concerns relate to three aspects – noise policy, surface access and the apparent ability of PINS to create new requirements in its assessment of an application. The rest of this letter will address these three issues.

### **Noise**

Members' concern is that PINS has proposed noise levels for Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) that are different to what we understand Government policy to be, and has been adopted by both PINS and the Secretary of State in other recent airport planning decisions.

LOAEL values for aviation have been set out by the Government (such as within the Consultation Response on UK Airspace Policy: A Framework for Balanced Decisions on the Design and Use of Airspace, October 2017), and those same values have been tested at, and agreed via, other airport planning inquiries and decisions. However, PINS has now proposed LOAELs for Gatwick that are significantly different – 6dB lower for daytime and 5dB lower for night-time. PINS has also proposed different values for SOAEL than have been adopted on other airport expansion decisions. PINS proposed daytime SOAEL of 54dB at Gatwick. This is 9dB below the SOAEL used elsewhere. It is only 3dB above the LOAEL stated in the policy described above.

AirportsUK is a trading name of the Airport Operators Association Ltd

Kings Buildings | 16 Smith Square | London SW1P 3HQ

Registered in England and Wales: 01041754

The purpose of Government policy is to provide a framework for decision making so that a consistent approach can be taken and airports can make investment decisions with confidence knowing Government policy can be relied upon.

For UK airports, the noise limits at these levels, proposed arbitrarily and without consultation by PINS, would have a significant adverse effect on potential future airport development around the country. As policy, it would also have substantial effects on the current programme of airspace modernisation that is underway around the country.

The Government needs to reassure the airport community and investors that this is not how Government policy is developed, nor how it intends for planning applications or consent orders to be determined, and that PINS should not have the remit create/apply limits that are contrary to evidence-based established approaches in isolation of the wider social, economic and environmental considerations taken into account by Government.

We request that Government clarifies and confirms levels for LOAEL and SOAEL, taking into account the clear and consistent testing of evidence and decision making in all other recent planning inquiries and decisions.

There are also concerns around the consequential amendments to the noise insulation scheme for LGW. Firstly, the level at which full mitigation is considered necessary and the retrospective requirement to mitigate to the British Standard level intended for new build properties on all existing properties, regardless of whether they experience a change in noise level, is far removed from other recently adopted schemes that have satisfied the planning test for mitigation. Secondly, the involvement of the local authority in assessing the mitigation for each and every individual property and the requirement on the airport to potentially purchase properties – running in some cases to hundreds of thousands of homes, if mitigation cannot be agreed with the local authority – is well beyond necessity and proportionality.

Adopting these as measures would have a significant effect on the cost of airport development across the UK (and also place a burden on local authorities which is quite unlikely to be able to be resourced). We believe it is not based on established precedent and is inconsistent with current Government policy. Airports would also welcome reassurance that there is a level playing field with noise policies as they are applied to other transport infrastructure development (rail, road) and other industrial sites.

### **Surface Access**

A planning condition has been suggested by PINS requiring a target public transport mode share to be achieved at the airport in the year prior to the use of nationally important infrastructure. This will place a complete restriction on the growth achievable by projects using a metric that is completely outside the airport's direct control. In town planning terms, this raises serious questions about whether this meets the tests of planning conditions or obligations.

All UK airports rely on national networks (the strategic road network and national railway network) and in general do not control the level of service or operational capacity, which are provided by third parties and Government agencies. The significant differences in the nature, quality and reliability of the networks serving each airport means there is significant variation in mode shares across the UK's major airports. More importantly, it means that future mode share for public transport is dependent on actions of others and is not entirely within the control of the airport operator. Airports have always worked to existing policy, namely that airports should plan for, and make reasonable endeavours to increase the share of journeys made by sustainable modes. In planning applications, this would mean travel planning and working with partner organisations, such as transport operators and network providers, to improve public transport mode share by agreed targets. Airports, much like other developers commit to investment to support and achieve mode shares but not a

requirement that an airport can guarantee targets that by their nature require third party actions and decisions to achieve.

Airports feel imposing a rigid approach to public transport requirements would place a significant extra unreasonable burden and increase the level of uncertainty in future applications which will impact investor confidence. Furthermore, as Transport Assessments are required to only include committed and funded supply-side change (e.g. new roads or public transport infrastructure and services) in forecasting it would imply any changes relied upon but only deliverable by third parties have to be secured in advance of any application, perhaps requiring legal agreement. Maintaining the existing policy of more flexible approaches can still deliver carbon savings and avoid any residual 'severe' impacts (ie as per the NPPF tests) without putting greater uncertainty into investment plans. We would welcome clarification that this does not represent a change in Government policy as it will be applied to future airport applications.

### **Planning Inspectorate and Uncertainty**

Aside from the specifics of the noise and surface access issues, there is a wider concern that the approach by PINS here has been to give itself a wide remit to reinterpret and reinvent Government policy and previous planning decisions (as material considerations and precedent). This gives rise to concern that in future applications, even where the above issues do not affect an airport, PINS create considerable uncertainty in the planning field and damage investment confidence.

The Government has rightly stated that it wishes to provide a more certain planning system for developers, to encourage development and growth in the UK. As airports we absolutely agree that this is necessary and would be hugely beneficial. However, instead this situation gives rise to whole new levels of *uncertainty* within the airport community about the planning system, which in turn will make securing inward investment in development more difficult.

We would welcome reassurance that the Government is going to work with PINS to ensure that greater levels of consistency and speed can be delivered.

### **Conclusion**

We appreciate that it will be difficult to discuss these issues whilst the Gatwick application process is live. We reiterate we are not seeking to advocate specifically for this individual application, but rather raise the real concerns other airports have about what the actions of PINS (and the Government, in not rejecting the stances they have taken) mean for the prospects, costs and feasibility of future possible developments. As you will know, we believe the UK planning system in general is overly burdensome, costly, slow and uncertain, and this needs to be rectified. We welcome the Planning and Infrastructure Bill as it should help with these issues, even though we think it does not go far enough.

That is why, and in the context of the desperate need for growth and development in the UK, we as airports feel it would be massively self-defeating to add, without purpose or intent, further barriers to airports being able to bring forward investment in the UK.

We would welcome dialogue with Government concerning where you see planning policy as it will be applied to other airports and would ask for this discussion in the immediate future so as to avoid discouraging airports from continuing to develop investment opportunities.

Yours sincerely,



**Karen Dee**  
Chief Executive