

# GOODENOUGH RING

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Our ref: GAT00001

18 September 2025

Dear Secretary of State,

## **Re: Airports National Policy Statement**

1. We are instructed by Gatwick Area Conservation Campaign ("**GACC**").
2. We wrote to you on 4 April 2025 in relation to Gatwick Airport Limited's application under section 37 of the Planning Act 2008 seeking a development consent order ("**DCO**") and the Airports National Policy Statement ("**ANPS**"). Specifically, we requested information about any decision to review the ANPS since its designation in 2018 as well as plans and large model development programmes relating to aviation demand forecasts.
3. On 4 June the Aviation Directorate responded to our letter stating that no review of the ANPS has taken place since its designation in 2018. The letter further confirmed Government announcements and written ministerial statements that a review of the ANPS would commence once proposals for a third runway at Heathrow had been received.
4. On 30 June the government published a "letter to potential promoters of Heathrow expansion", which invited proposals by 31 July 2025. The letter stated:

*"As proposals may be used to support the review of the Airports National Policy Statement (ANPS), we ask that proposals set out key areas of divergence from requirements specified in the current ANPS where applicable."*

5. We are not aware of any further announcements since the 31<sup>st</sup> July deadline for the submission of proposals passed, although we are aware that Heathrow Airport Ltd has announced that it submitted its plans for a third runway.
6. The reference to "the review of the Airports National Policy Statement" implies that a decision has been taken under section 6 to review the ANPS, but we have not seen, or been informed by you of any such decision. We are therefore unsure whether a decision to review the ANPS has been taken and if so whether the review itself is underway. If such a review is underway, the scope of that review (and whether it relates to all or part of the ANPS) is not clear, including what issues the review will consider and the information that will be taken into account when deciding whether to amend the ANPS.
7. As raised by our client in response to the DCO, any decision on the DCO should await the outcome of the review of the ANPS, not least because the ANPS is of central importance to the DCO as are the fundamental changes that have taken place since the ANPS was designated, including the COVID-19 pandemic and its impact on the need for aviation expansion, the introduction of the net zero target, the inclusion of international aviation in the carbon budgets, the seventh carbon budget and now the prospect that proposals for expansion of capacity at both Gatwick and Heathrow may be in sight.
8. The breadth and significance of changes since the ANPS was designated require adequate consideration, including through the receipt of up-to-date information on these issues from all stakeholders, not only promoters of a third runway at Heathrow. We note that in response to our request you have disclosed no aviation forecasts beyond 2017, which pre-dates both Brexit and COVID.
9. The expectation under the Planning Act 2008 ("PA 2008") is that decisions on major airport infrastructure will be made pursuant to a national policy statement which, pursuant to section 5(8) of the PA 2008, will set out how climate change will be mitigated. The current ANPS was premised on three years of work by a public commission (2012-2015) and on Gatwick and Heathrow being *alternatives*, with Heathrow the preferred option. See in particular paragraphs 3.18 and 3.19 of the ANPS: "By contrast, expansion at Gatwick Airport would not enhance, and would consequently threaten, the UK's global aviation hub status. Gatwick Airport would largely remain a point to point airport, attracting very few transfer passengers. Heathrow Airport would continue to be constrained, outcompeted by competitor hubs which lure away transfer passengers, further weakening the range and frequency of viable routes." See also 3.26-3.29: "Expansion at Heathrow Airport is expected to result in larger benefits to the wider economy than expansion at Gatwick Airport."
10. To consider a Gatwick DCO with the Heathrow DCO application in sight and the possibility of both forms of expansion being granted is clearly not what is envisaged at the strategic level of the NPS. To update the ANPS only after a decision to make a Gatwick DCO is not

consistent with the scheme of the 2008 Act by which parliament expects the Secretary of State to take individual decisions within the framework of a prior and consistent strategy, which is itself subject to consultation, to approval by parliament, and which addresses the manner in which the proposals as favoured in the strategy will mitigate climate change. Given the minded to position on Gatwick and the changes of circumstance to which we have referred, the 2018 ANPS is now out of date and needs to be amended prior to any DCO decisions. The Secretary of State therefore needs to make a decision pursuant to section 6 of the PA 2008 *whether to review the ANPS*. As set out above, we are however unclear whether that decision has been taken and if so what decision has been taken.

11. In light of the above and the relevance of the ANPS to the government's (potentially imminent) decision on the Gatwick Airport DCO, we urgently request the following:

- a. Clarification as to whether a decision has been taken pursuant to section 6 PA 2008 to review the ANPS, if so what that decision is, and if not when that review will take place.
- b. Clarification of the scope of the government's review of the ANPS. Specifically, please clarify:
  - i. Whether the review will include all or part of the ANPS;
  - ii. What matters will be taken into account when reviewing the ANPS;
  - iii. What information will be considered;
- c. Consultation inviting all stakeholders (not only promoters of a third runway at Heathrow) to submit information relevant to the review of the ANPS, including all significant changes in circumstance; and
- d. Delay of a decision on the Gatwick DCO until the review and any amendment of the ANPS is complete.

12. Please confirm receipt of this letter and respond as soon as possible and in any event **within 14 working days, i.e. by 2 October 2025.**

Yours sincerely,



**Goodenough Ring Solicitors**