How do we seek approval to expand Heathrow?

This document sets out the approvals Heathrow needs to obtain, in order to deliver expansion, and to update the airspace around Heathrow for three-runway operations. It also sets out where we are in the process and milestones for the coming years.

What approvals does Heathrow need to obtain?

The proposed expansion of Heathrow is known as a Nationally Significant Infrastructure Project. This term is applied to some of the UK’s largest infrastructure projects including large power stations, motorways and airports.

Development Consent Order

There is a type of planning permission which these projects must obtain, which is known as a Development Consent Order (DCO). This would give permission for building new infrastructure, operating additional flights and acquiring land. The final decision on granting Development Consent is ultimately made by Government.

Airspace change process

As well as the physical infrastructure changes which are required for expansion, we will also need to update the airspace around Heathrow. We are proposing plans to modernise our airspace at the same time as we are developing our DCO application for expansion. New flight paths will be required for the new runway, and the two existing runways. These have to be approved by the Civil Aviation Authority (CAA) through their airspace change process, which will be carried out separately from the DCO process.

This consultation is seeking feedback to help develop our proposals for both processes, which are set out in the timeline overleaf.
Indicative timelines for the DCO process and the airspace change process

1. FUTURE OPERATIONS (HOW WE WILL USE THE RUNWAYS)
   - JAN - MAR 2018 Airport Expansion Consultation
     - Airport Expansion
   - JAN - MAR 2018 Airspace Principles Consultation
     - Airspace design principles

2. AIRSPACE CHANGE FOR EXPANSION (THE FLIGHT PATHS AIRCRAFT WILL FLY)
   - JAN - MAR 2018 Airport Expansion Consultation
     - Airport Expansion
   - JAN - MAR 2018 Airspace Principles Consultation
     - Airspace design principles

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- JAN - MARCH 2019 Airspace and Future Operations Consultation
  - Runway Operations

JUNE 2019
- Airport Expansion Consultation
  - New runway and physical infrastructure changes needed for expansion

2020 Submission
- Submission of DCO application

2020 Examination
- Examination of DCO application

2021 Decision
- Decision made by the Secretary of State

2021 Construction
- Construction starts

Ongoing airspace design work and stakeholder engagement

2022 Consultation
- Flight path options

2023 Submit
- Submit proposals for airspace change to the Civil Aviation Authority (CAA)

2023 Decision
- Decision made by the CAA

2024 – 2026 Implementation
- New flight paths are implemented

2026 Runway opens
As shown in the diagram on the left, while the two processes are separate, there are some links between the two. The DCO process requires an assessment of the “likely significant effects” of flight paths which come from the airspace change process. Because this is needed before the airspace change process has completed it will necessarily be based on an ‘indicative’ design, which is an estimate of what the future airspace may be, given the stage of design at the time of the DCO application.

The DCO process will complete ahead of the airspace change and while the DCO will not determine the detail of the airspace design, it will set out some of the conditions that the airspace design must meet.

The flowchart on the right explains the process for changing the airspace at Heathrow and the steps we need to take to seek approval from the CAA and how this aligns with CAP 1616.

The airspace change process

Heathrow is responsible for proposing any changes to published flight paths and procedures into and out of the airport up to 7,000ft.

These are approved by the Civil Aviation Authority (CAA), the organisation responsible for airspace regulation and for the airspace change process.

The construction of a third runway and the need to accommodate new flights means we need to redesign the way aircraft arrive and depart from the airport. Heathrow is positioned close to other major airports in the south-east of England. Making changes in this very busy airspace requires careful planning and consideration.

The CAA provides guidance on the process for changing airspace in its CAP 1616 document which is available on the CAA’s website: www.caa.co.uk
The first stage in the airspace design process for Heathrow expansion was to assess the requirements for a new airspace design in line with the Airports National Policy Statement (ANPS).

We carried out a consultation in 2018 and then worked with stakeholder representatives and focus groups to develop a set of design principles relating to safety, environmental and operational criteria, and strategic policy objectives. These identified a framework that we will evaluate airspace design options against.

We then developed the underlying structure for future flight paths for an expanded Heathrow, in line with our design principles. This structure defines the broad characteristics, such as the number of flight paths and the number of aircraft, that would be likely to use them. It does not determine exactly where the flight paths would be positioned – this comes later in the design process.

This underlying structure for future flight paths also defines the broad areas within which routes could be positioned, these are called ‘design envelopes’.

This non-statutory consultation is your opportunity to let us know if there is anything you think we should take into account when designing new flight paths for three runways.

We will use your feedback alongside the design principles, analysis of environmental effects, including noise, and operational testing to help us develop and assess detailed flight path options.

Throughout the ‘develop and assess’ process we will continue to engage with stakeholder and community representatives and offer further opportunities to provide feedback before we consult on our flight path options for Heathrow Expansion – see Stage 3 below.

We will then carry out a statutory consultation which will help us to understand the impacts of our selected flight path options. As part of this we will also set out why they have been selected.

Using feedback from the Stage 3 consultation outlined above, together with all of the information gathered throughout the airspace design process, we will review flight path options and submit our preferred choice to the CAA.

The CAA will assess whether the proposed designs meet safety, environmental and operational requirements, and whether the design process and consultation was undertaken in accordance with the Airspace Design Guidance.

The CAA will review our airspace change proposal and decide whether the change can be made.

In some cases, an airspace change will have a national interest or a significant environmental impact, which may mean the Secretary of State for Transport decides to “call in” the airspace change proposal instead of the CAA. We expect this change to be called in.

The change can be implemented once approved, so that aircraft can fly the new routes to our two existing runways, and the new third runway once it is built.

A year after the change has been made, we will carry out a formal ‘post-implementation review’ to make sure that the airspace change has been made as proposed. This review is provided to the CAA who will assess whether any further work or changes are required. The local community and other stakeholders will also have an opportunity to provide feedback on the airspace change and the CAA can decide whether modifications to our proposal are needed.

Key: ■ The CAA process detailed in CAP 1616  ■ The design and consultation process being undertaken by Heathrow
Development Consent Order

As set out above, the expansion of Heathrow will require a planning consent known as a Development Consent Order (DCO).

A DCO is not just a form of planning permission, it can give a range of other powers such as the compulsory acquisition of land and changes to highways. The application for the DCO will be examined by an independent Examining Authority at the Planning Inspectorate. The final decision in the case of the expansion of Heathrow will be made by the Secretary of State for Transport.

The main test that will be considered is whether the application meets the requirements as set out in the Airports National Policy Statement (ANPS) and the National Policy Statement for National Networks which is also relevant, because the expansion project will include the diversion of a motorway. Although the ANPS approves a third runway at Heathrow in principle, it also sets a series of tests that Heathrow must meet.

The DCO will require that the expansion of Heathrow is delivered within agreed environmental limits. Conditions written into the DCO will control the effects of expansion on communities and the environment.

Consultation and ongoing engagement

Consultation and engagement is crucial for developing our plans, both for the expanded airport under the DCO process, and for designing our future airspace under the airspace change process.

Heathrow continually engages with local communities, airlines, the general public, and technical stakeholders about our proposals. Most recently, we have been hosting focus groups and workshops with local communities and stakeholders.

For the DCO, early consultation helps us to improve our proposals before the application is submitted. There is a legal requirement for us to hold at least one consultation with the local community and organisations prior to submission of an application, but we are following best practice by consulting several times, as outlined in the indicative timeline in this document.

Prior to the final public statutory DCO consultation in June 2019, Heathrow must produce a Statement of Community Consultation to explain how local people will be consulted and set out our approach. Local councils are consulted on a draft version of the statement, and Heathrow must have regard to their responses in finalising the statement. The consultation must then be run in the way specified in the statement.

We are committed to developing our plans in close consultation with stakeholders, and we are required to have regard to consultation responses in finalising our DCO application. This will be written-up in a Consultation Report that will form part of our application.
How are DCO applications examined?

The process for applying for a DCO is outlined on the first inside page of this document. Here we provide some more detail on how DCOs are examined and the steps that are undertaken in advance of commencing construction.

The application for a DCO will include plans for the physical development and operation of the expanded airport, along with an assessment of the likely significant environmental effects of expansion, and how we plan to mitigate these.

The Planning Inspectorate will check that the application is of a satisfactory standard, and that the rules on consultation and other procedural requirements have been followed.

If the application is accepted for examination, an Examining Authority will be appointed. This is a panel of independent and experienced planning inspectors. Heathrow will publicise the acceptance, and invite members of the public and organisations to register to participate in the examination of the project. Anyone that registers will be able to provide written representations and participate in the examination both in writing and at public hearings. People with a legal interest in land affected by the project are registered automatically.

The Examining Authority has six months to examine the application and will ask for views from the public and ask their own questions about the details of the application. Most of this process will be in writing, and will be published online.

The Examining Authority will hold hearings for members of the public, and for those affected by proposals for compulsory acquisition of land. They will also examine specific issues at hearings with Heathrow, regulatory bodies and any other interested parties.

There is a three-month period for the Examining Authority to write their report and recommendation. This will be based on the relevant National Policy Statements and a balancing of the benefits and impacts of the proposals.

The report is handed to the Department for Transport, whose Secretary of State has a further three months to decide whether to grant the DCO and on what terms.

There is no appeal against the granting of a DCO. It can only be challenged on legal grounds and there is a six-week period to apply to the High Court for a judicial review.

Once Heathrow has obtained the necessary approvals, construction under the terms of the DCO would then commence.

If you would like a large text or alternative format of this document, please contact us on 0800 307 7996 or send an email to us at: info@heathrowconsultation.com

There are lots of ways you can contact us or find out more

- **online** via our project website www.heathrowconsultation.com
- **call** our freephone number 0800 307 7996 (open Monday to Friday, 9am-6pm)
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