



**Baldwins Wynyard Park House, Wynyard Avenue, Wynyard, TS22 5TB**

---

Manston Airport Case Team  
The Planning Inspectorate  
Room 3/8 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Date 2 May 2019

For the attention of Mr Kelvin MacDonald

Dear Mr MacDonald,

**Proposed Manston Airport Development Consent Order (Application ref: TR020002)**

---

Please find the submission of Stone Hill Park Limited ("SHP") for Deadline 6 enclosed.

The submission comprises this letter and various enclosures, which are outlined below;

**1. SHP responses to the Examining Authority's Second Written Questions**

- 1.1. SHP has provided responses to all written questions directed to SHP.
- 1.2. Whilst SHP considers it will be most efficient for the Examining Authority if it defers its comments on questions directed to the Applicant until Deadline 7 (where it can also comment on the Applicant's responses), initial responses have been provided in respect of a small number of questions addressed to the Applicant.
- 1.3. SHP consider this necessary due to;
  - the extremely limited time left in the examination phase;
  - the Applicant's continued failure to furnish necessary information to the examination or do so in a timely manner; and
  - the Applicant's tendency to provide responses that lack veracity, are incomplete or risk misleading the examination.

**2. SHP's Comments on any further information requested by the Examining Authority and received to Deadline 5**

- 2.1. SHP comments on the Applicant's Written Summary of Oral Submissions put at the Compulsory Acquisition hearing held on 20 March 2019;

- 2.2. SHP comments on the Applicant's Written Summary of Oral Submissions put at the Need and Operations hearing held on 21 March 2019 (with accompanying appendices).
- 2.3. SHP's submissions (including the responses to written questions) provide detailed evidence that further demonstrates the Applicant's approach to the examination to be completely unreasonable, for example the Applicant's refusal to honour commitments to provide information or meet deadlines set by the Examining Authority, the absence of evidence to support the Applicant's assertions and the manner in which information submitted by the Applicant has been contradictory, incomplete and, often, highly misleading.
- 2.4. As the Examining Authority does not instruct its own evidence, the unreasonable conduct of the Applicant has unfairly placed a massive burden on SHP (and other interested parties) to instruct and prepare evidence to counter the unfounded and misleading assertions of the Applicant.
- 2.5. Accordingly, SHP would advise the Examining Authority that it is in course of preparing an interim application for costs against the Applicant on the grounds of its unreasonable behaviour, which has caused SHP to incur unnecessary and wasted expense during the examination. In preparing its application for costs, SHP will adhere to the DCLG Guidance "Awards of costs: examinations of applications for development consent orders".
- 2.6. It is a fact there is little over two months left in the examination phase and the Examining Authority and affected parties do not have access to the most basic of information that should be before the examination. It is SHP's considered view that the Applicant continues to approach the examination with the false expectation that the burden of proof is entirely on others to prove the case against the Applicant's plans, rather than there being any onus on the Applicant to provide any substantive evidence that can be adequately and fairly tested.
- 2.7. SHP continues to place reliance on, and take comfort from, the Examining Authority's clear guidance that assertion which is not supported by evidence can carry no weight in the examination.

Yours sincerely,

A solid black rectangular box used to redact the signature of the sender.

For and on behalf of  
Stone Hill Park Ltd