Please accept this email as my response to the latest submission from the applicant regarding a time extension. Please confirm that the relevant minister will receive the email and that it will be considered during deliberations regarding the extension request.

Response to TLT LLP's Submission on behalf of RiverOak Strategic Partners (RSP) dated 25 August 2026

I am writing to formally submit my response and strong objection to the Non-Material Change application (NMC-3) and subsequent supporting evidence submitted by TLT LLP on behalf of the Applicant, RiverOak Strategic Partners (RSP). The Applicant is requesting a two-year extension to the construction commencement deadline originally mandated in Schedule 2, Part 1, Paragraph 2 of the Development Consent Order (DCO) 2022.

The Department for Transport should reject this application on the following grounds:

1. Misattribution of Project Delays

In their supporting statements, TLT LLP argues that a two-year extension is justified due to "uncertainty" and lost time stemming from past judicial review proceedings. However, this characterisation is inaccurate. Documents made available by the Ministry of Defence (MoD) clarify that the critical path delaying onsite construction is entirely a result of the Applicant's prolonged inaction and failure to progress the mandatory High-Resolution Direction Finder (HRDF) mitigation scheme. Legal and judicial processes should not be leveraged as an excuse for an applicant's operational inertia.

In addition as I have commented previously the applicant has not completed any of the pre construction work items detailed in the schedule to the DCO.

Again, as mentioned before, there is a covenant between the applicant and previous owner SHP that requires them to share any profit made should housing be built on the site. This covenant is for a period of 10 years and the extension if granted would allow the applicant to continue to do nothing at the site, wait for the 10 years to expire, build housing instead of an airport and retain all the profit. It seems clear given the inactivity at the site and that no funding has been secured that this has been the intention from the start.

2. Erroneous and Retroactive Application of the Planning and Infrastructure Act 2025

The Applicant's reliance on Section 56(2) of the Planning and Infrastructure Act 2025 as a justification for this extension is legally flawed.

- **No Retroactive Effect:** The Manston Airport DCO was granted in 2022. Under established principles of UK constitutional and planning law, newly enacted legislation does not retrospectively alter the operational conditions of historical consents unless explicitly stated. The 2025 Act contains no such retroactive mandate for pre-existing DCO deadlines.
- **Conflation of Statutory Regimes:** Section 56(2) was designed to address standard Town and Country planning permissions delayed by specific appellate litigation. It cannot be used as a blanket rule to bypass the distinct, rigorous statutory regime governing Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act

2008. The Secretary of State must reject TLT's opportunistic interpretation of the 2025 Act's policy goals and uphold strict compliance with the original DCO terms.

3. Materiality of the Extension Request

The request to extend the validity of a major infrastructure project's implementation window by an additional two years (shifting the deadline from five to seven years) is inherently material. Since the DCO was granted in 2022, local socioeconomic, environmental, and national aviation landscapes have evolved. Extending this timeline without full re-examination circumvents the rigorous standards expected of NSIPs.

4. Environmental Impact Concerns

While the Applicant asserts that extending the commencement period does not give rise to new environmental consequences, they have failed to provide robust, updated data to substantiate this claim under the changing baselines of 2026. Environmental indicators regarding noise, carbon emissions, and local climate targets must be completely re-evaluated rather than dismissed via a non-material amendment.

Conclusion

RSP has repeatedly publicised that the project has been fully funded and ready to break ground, when it clearly is not. This position clearly supports the initial findings by the planning inspectorate who all concluded an airport at Manston was not needed and led them to unanimously recommend that the DCO should be refused, a decision that was fully supported by the DfT sponsored assessment by Arup.

Granting a two-year extension rewards commercial inaction, leaves the local community in a damaging state of prolonged planning blight, and undermines the statutory deadlines built into the Planning Act 2008 framework.

I urge the Secretary of State for Transport to decline the amendment request and hold the Applicant to the original 2027 commencement deadline.

Yours sincerely

Adem Mehmet