

Consultee	Summary of Comments	Response
Environment Agency	Note that surface water will ultimately outfall to Riggs Drain via on-site attenuation system and support use of the attenuation basin to reduce flooding caused by Riggs Drain.	Noted
	Support all proposals in respect of surface water and foul water drainage infrastructure, particularly the use of SUDs.	Noted
Highways England	No objections subject to further consideration of the need for updated traffic surveys to ensure the 2014 assessments remain valid.	TBC – Freeths to advise on additional justification that can be added to the ES.
Historic England	Recommend that LDO Appendix C (Written Scheme of Investigation) is modified to include square shaped archaeological trenches as well as long, narrow trenches within each area and compartment of the site.	Written Scheme of Investigation and plan of trenches modified accordingly.
Natural England	The LPA should ensure it is compliant with the requirements of the Habitat Directive and Regulations before adopting the LDO. It is Natural England's opinion that the site is not necessary for the management of a European site and is unlikely to have a significant effect on any European site. It can therefore be screened out from any further assessment.	TBC – see covering note.
	The site is in close proximity to the River Derwent SSSI but Natural England is satisfied that the proposed development would not damage or destroy the interest features for which the site has been notified.	Noted
	The LPA should assess and consider other impacts on local sites, local landscape character and local or national biodiversity priority habitats and species.	This has been considered as part of the preparation of the LDO with reference to the Environmental Statement.
	The LDO Design Code seems to provide opportunities for design features that are beneficial to wildlife. Further consideration could be given to how the integrate these features with the purpose of the FEZ to showcase the important links between, farming, food and the environment.	Addressed by the landscape guidance within the Design Code. Further promotion of these matters will be the responsibility of the developer.
North Yorkshire County Council (Archaeology)	Note the inclusion of the previously agreed archaeological evaluation/mitigation strategy and has no objection to the proposals.	Noted
North Yorkshire County Council (Flood Management)	Preference would be for development to comply with NYCC SUDS Design Guidance. Agree with discharge restriction referred to in Design Code and happy to defer to opinion of Internal Drainage Board. No objections.	TBC – Smeeden Foreman to check whether NYCC guidance compatible with approach already agreed with IDB.
North Yorkshire County Council (Heritage Services)	Landscape design proposals do not show details of safe cycle routes or cycle parking.	Cycle access to the site will be made via the new and improved site access points shown on the masterplan. It is not possible to show cycle parking facilities

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		as this will be subject to detailed design. Nevertheless, cycle parking requirements are referred to in the Design Code.
	More substantial screening is required to the west or north west of Building Zone 1. The Design Code should make recommendations for breaking down large expanses of parking with vegetation.	Views to the site from the west are very limited and strategic landscaping is not considered necessary in this location. There will be considerable landscaping on the more prominent boundaries of the site and it is not expected that there would be unusually large expanses of car parking within the three building zones.
	Non-reflective colours and textures should be used for the buildings. Suggested materials of slate or dark grey roofs, grey or black window frames and timber cladding are all appropriate and acceptable. One illustration in the Design Code is inconsistent with these suggested materials. Colour of brick should be reconsidered as brickwork is generally reddish or brownish in older parts of Malton.	Illustration referred to will be replaced or amended. The colour of the brickwork is intended to match traditional local stone and will work better with other proposed materials.
	No guidance on soil handling and managing surplus soil. Design guidance needs to address recontouring to set out maximum gradients and acceptable profiles.	The main retention pond has now been completed under the terms of the outline planning permission which was not subject to controls on soil management. Remaining recontouring principally associated with smaller ponds and swales where Design Code sets gradient at 1:3.
	Good intentions in relation to green corridors and soft landscape proposals could suffer when other services are put in – service corridors should be identified to avoid potential conflict.	The LDO seeks to provide flexibility in terms of the layout of built development and it is therefore not possible to identify service corridors at this stage. Any works to install services that would significantly affect strategic landscaping may not be considered in accordance with the LDO and would require planning permission.

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North Yorkshire County Council (Highways and Transport)	Having regard to the extant permission at the site the proposals are considered acceptable, subject to appropriate conditions to ensure highway related design/construction requirements are adequately safeguarded.	Access to the site from the A169 has already been constructed. Standards for internal road layout confirmed by LDO Design Code.
North Yorkshire County Council (Strategic Policy & Economic Growth)	The principle of the FEZ is supported and it is important for the LDO to achieve an appropriate balance between enabling growth and achieving quality outcomes.	Noted
	Every effort should be made to maintain Malton and Norton Town Centres as the focus for food retail and catering. Such activity at the FEZ site should be directly linked to food businesses on the site and more general activity should be kept to a minimum.	Condition no. 3 of the LDO addresses this point.
	Whilst the floorspace limits will help to ensure an overall low density development this will not prevent a single large use dominating one of the building zones. It could therefore be appropriate to provide a maximum amount of floor coverage per building zone to manage the bulk and density of buildings.	The LDO is intended to afford a degree of flexibility that would be constrained by further restrictions on individual zones. Larger buildings would be acceptable if they otherwise meet the design requirements of the design code e.g. building height, materials etc.
	Elements of the Design Code, such as the Building Design section, appear to relate to conditions that regulate development and would more appropriately form part of the LDO.	The Design Code is an integral part of the LDO. Some flexibility is required on matters such as building design given the eventual form and layout of development is unknown. It would not be appropriate for the LDO to be more prescriptive than a planning permission. However, the LPA will retain the power to require an application for planning permission where proposed design does not accord with the principles set out within the Design Code.
	Further controls such as setting back building facades from road frontages will assist in maintaining open character/site lines. Recession planes could be used to manage impacts along site boundaries and manage shading.	TBC – mostly set back due to strategic landscaping but Keith considering wording.
	There is an opportunity to consider enabling renewable energy generation within the site and permitting micro-generation schemes.	There are existing permitted development rights for small renewable energy schemes on non-domestic

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		properties.
	A number of the masterplans principles and details are vague. This lacks clarity and certainty for users of the LDO and will not assist in interpretation of the Design Code. It is essential that the requirements of the Design Code are unambiguous.	An element of flexibility is unavoidable and is required to ensure that the Design Code is not overly prescriptive.
	Place-making aspects of the Design Code could be improved e.g. guidance on service areas, bin stores, crime prevention, health promotion.	TBC – additional wording to be added on siting of service areas and bin stores.
	Provisions for layout and boundary treatment of Building Zone 1 are weak and should be strengthened to enhance interface with adjacent areas. Boundary treatments to Building Zone 2 along Edenhouse Road are also weak.	Zone 1 – as above. Substantial boundary treatments are shown on the LDO masterplan to the boundary of Building Zone 2 and Edenhouse Road.
	Masterplan Zone 4 is identified for surface water management and landscaping/biodiversity. The reason for establishing a 13 metre height limit for buildings is unclear and this should be clarified or removed.	Design Code to be amended to remove reference to Zone 4.
Public Comment	Lack of planning direction will not create a good looking estate at the FEZ. A second rate business estate in this gateway location will harm Eden Camp and Malton's aspirations to become Yorkshire's Food Capital.	The LDO Design Code requires development to be of a high quality. If sub-standard development is proposed then the Council can require the developer to seek planning permission in the normal manner and subject to normal controls.
	The FEZ may be of interest to businesses that do not fit the food ethos of the site and a large proportion of officers' time could be taken up determining whether a business meets the definition contained within the LDO.	The definition at paragraph 3.2 of the LDO is intended to minimise ambiguity whilst not unnecessarily excluding appropriate occupiers. The onus is on the developer to demonstrate compliance and if the local authority is not satisfied within the 28-day period then it can require an application for planning permission to be made.
Public Comment	The LDO documents do not address vehicle washing associated with the potential livestock market which are a legal requirement.	Section 4 of the Design Code does refer to vehicle washing facilities. At this stage the size and location of the potential livestock market are unknown.

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		The specifics of vehicle washing facilities are subject to separate controls and all drainage matters are for agreement with the IDB and Yorkshire Water (as per condition no. 10 of the LDO).
	Given the speed of traffic to the A169 and number of HGVs turning in and out of the site, a formal pedestrian crossing should be installed to the A169.	The new site access and associated crossings have been approved by way of a full planning permission and separate agreements with the local highway authority. As such, it has not been considered necessary to install a controlled pedestrian crossing.
	Internal roads do not appear wide enough to cope with HGVs with trailers and other modes of transport. The staggered junction on Edenhouse Road looks problematic for vehicles with trailers.	Principle access road has been approved under a separate full planning application and is currently under construction. The local highway authority raises no objections. Other internal roads subject to the requirements set out in Section 2 of the Design Code.
	Does the transport assessment contained within the Environmental Statement take account of HGV traffic associated with the potential livestock market?	The transport assessment assesses all traffic associated with employment development at the FEZ site. In terms of the livestock market the assessment notes that the market is an intermittent event, that the relocation of this facility will have beneficial effects to the local highway network and that additional traffic to the A64 and A169 as a result of the relocation will have broadly neutral effects. The local highway authority and Highways England raise no objections to these conclusions.
Yorkshire Water	No comments.	Noted

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<p>York, North Yorkshire and East Riding Local Enterprise Partnership</p>	<p>The Malton FEZ is a strategically important project within the LEP area and as part of the LEP's ambition to 'become a national and international centre for the science of food, agri-tech and biorenewables'. The draft LDO are essential ingredients in delivering the FEZ designation at Malton and achieving the successful development of the site. This LEP welcomes the documents and looks forward to implementing the proposed approach and to achieving our shared objectives.</p>	<p>Noted</p>