

Appendix 3 - Comments and Responses from Consultation on Discussion Paper (August and September 2009)

Full Name	Organisation Details	Full Name (Agent)	Organisation Details (Agent)	Type	Number	Nature of Response	Response
Mr Graham Whittle	Whitby Seafoods Ltd			Web	Q1	Object	We are not sure what "public realm improvements" means.
Mr Graham Whittle	Whitby Seafoods Ltd			Web	Q2	Support with conditions	The appearance of the Whitby Business Park is very poor. It has a scruffy unkempt look. We have evidence that many of the the conditions under which planning consent was given to properties in Whitby Business Park are not being complied with. If compliance was enforced, as it should be, the Park would look a lot better. Areas of land not in private ownership are very overgrown. Is Scarborough Council responsible? Some of the roads and pavements are spoiled by weeds. What about reference to travel to work. There are no cycle ways from the town to the area, there are no footpath short cuts, there is no bus service co-ordinated with shift times. Whitby Business Park is the only area in Whitby with any significant industrial activity. It is an area that creates a high level of employment and wealth for the town. Why on earth do NYMNPA and SBC not take their responsibilities seriously and exercise the legal powers bestowed upon them? The original design of what was called Stainsacre Lane Industrial Estate, had an attractive ratio of build space surrounded by green space. The Enterprise Way development continued with this. In recent years the planning authority, NYMNPA have permitted deviations from the original plan where built space has been created without any provision for green space. Why? Industrial land in Whitby is very cheap, -unless Sainsbury want it-.
Mr Graham Whittle	Whitby Seafoods Ltd			Web	Q3	Support with conditions	The objective should be to ensure that Whitby, a part of Scarborough Borough, lives up to the Borough's promise of being a great place to live, work and play. The Whitby Business Park, the main employment area, does not live up to that promise. The poor image of the Business Park is a SIGNIFICANT deterrent to attracting good staff, appealing to customers, and creating pride within the businesses that reside there. The Action Plan should deal with travel to work issues for none car users, and the non compliance of planning consents by existing businesses on the Park area. It should ensure that there is a ready supply of serviced land available for industrial development, especially if some of the area is to be used for commercial/ retail use.
Mr Graham Whittle	Whitby Seafoods Ltd			Web	Q4	Observations	To keep land prices down there should always be a ready supply of zoned land available. There is ample poor quality agricultural land adjacent to the Whitby Business Park that could be included in future developments. Land on its own is not enough the land needs to be serviced with roads, power, drainage and street lighting.
Rachael A. Bust	The Coal Authority			Web		Other	Having reviewed your document, I confirm that we have no specific comments to make on this document at this stage. We look forward to receiving your emerging planning policy related documents; preferably in an electronic format. For your information, we can receive documents via our generic email address <a href="mailto:planningconsultation@coal.gov.uk">planningconsultation@coal.gov.uk</a> , on a CD/DVD, or a simple hyperlink which is emailed to our generic email address and links to the document on your website. Alternatively, please mark all paper consultation documents and correspondence for the attention of the Planning and Local Authority Liaison Department. Should you require any assistance please contact a member of Planning and Local Authority Liaison at The Coal Authority on our departmental
Peter Hayne	Arqiva Services Ltd			Web	Q2	Support with conditions	Scarborough Borough Council will recall that planning permission was granted in February 2006 for a new 45m high broadcast mast to the north of the Business Park. The mast was to replace the broadcast mast at East Cliff at Whitby (adjacent to the Abbey) which was susceptible to coastal erosion. The new mast adjacent to the Whitby Business Park is operational and it provides a vital public service in supplying continued TV and radio coverage for the majority of residents in and around Whitby. The site is managed and operated by Arqiva Services who has responsibility for the transmission of analogue and digital television throughout the UK. We note that at paragraph 3.4 of the Action Plan, the LPA seeks to promote on-site power generation for certain thresholds of development at the Business Park, reflecting requirements within the Core Policy E of the North York Moors Core Strategy and Development Policies. It advises that the Area Action Plan will provide further guidance for developers on the type of installations that will be appropriate to meet the requirements of the policy whilst having regard to landscape impact. Whilst we have no objection in principle to this proposal, we reiterate that the construction of new buildings or other tall structures, such as wind turbines, can interfere with broadcast services and that the possibility of such interference can be a material planning consideration (para 33 and Annex 2 of PPG8). Government has further reinforced this point within its letter sent to all English

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							planning authorities on the 31 July 2006, in relation to the switchover of analogue television services to digital. We therefore encourage Scarborough BC to fully reflect this issue of potential radio interference from tall structures and buildings in the Area Action Plan for Whitby Business Park. The Plan should encourage new developers of high buildings or other tall structures to consult with Arqiva prior to submitting their applications, to prevent the loss of vital broadcast services from the adjacent broadcast site.
Ms P. Reeves	Danby Group PC			Letter		Observations	Thank you for the draft Whitby Business Park Area Action Plan for consultation. However, the Parish Councillors feel that they are unable to make comments because this plan has little relevance to our area due to 'lack of integrated transport for rural communities to access the park for employment and customer related activity.
Alison Munday	GOYH			Web		Observations	General Comments 1. Planning Policy Statement 12 "Creating Local Development Frameworks" (PPS 12) states at paragraphs 5.4-5.6 that area action plans should be used when there is a need to provide the planning framework for areas where significant change or conservation is needed. To this end the DPD will need to be clear about what it aims to achieve, e.g. delivering a planned growth area; stimulating regeneration; or focusing the delivery of area based regeneration initiatives. In areas of change, area action plans should identify the distribution of uses and their inter-relationships, including specific site allocations, and set out as far as practicable the timetable for the implementation of the proposals. 2. PPS12 paragraph 4.33 says that in devising its strategy, the local planning authority should be consistent with national policy and in general conformity with the regional spatial strategy. It must also be in conformity with any Core Strategy policies, and clearly address any cross boundary issues. 3. You will need to include a spatial vision for the future of the area that responds to local challenges and opportunities, and which is based on evidence, a sense of local distinctiveness and community derived objectives, within the overall framework of national policy and regional strategies. This should flow into a set of objectives, policies, and land allocations; which clearly show linkages with sustainable community strategies, local transport plans etc. 4. We would expect to see details of locations, type, allocations and quantum of the proposed development, and how it will impact on and relate to the district-wide figures. 5. At the next stage you will need to demonstrate that the intended strategy is the most appropriate for addressing the issues facing the District. As part of this it is vitally important to have a clear audit trail of how the AAP has developed. You will need to explain clearly what options were considered and the reasons for selecting the preferred options. The sustainability appraisal of all the options (not just the preferred options) and the evidence base should be important elements in this process. The key evidence should be in place before publication. A rigorous approach to appraising all reasonable options will help to dispel any impression of justifying a pre-determined stance. 6. You must be able to demonstrate that the AAP is deliverable. This will include considering what infrastructure is necessary to support delivery and ascertaining from partners that there is a reasonable prospect of delivery in the required timescales. Implementation and monitoring is a key component of AAPs, so it is very important that the AAP is clear about delivery of policies and that their output can be monitored. A monitoring and implementation framework will be required at publication stage. It may help if you look at examples of adopted AAPs, and to refer to "Local Development Framework Monitoring: A Good Practice Guide" (ODPM 2005). SMART targets should be used where possible. Text-specific comments Para 3.1: You may need to refer to PPS6 (depending on type of usage). Para 3.4: If carried forward to subsequent consultations, the reference to Core Policy E (Minerals) of the NYM Core Strategy should be amended to refer to Core Policy D (Climate Change). Para 3.6: At the next stage you will need to refer to both PPS6 and consultation draft PPS4, which was published on 5 May 2009 incorporating PPG5, PPS6 and the economic aspects of PPS7 (we expect the final PPS to be published later this year). You will need to demonstrate how retailing and potential B1a office use (if considered as appropriate within the business park) accords with the relevant national and regional policy guidance and, where applicable, give reasons for departing from that. Para 3.8: When describing methods of implementation at future stages, you will also need evidence of buy-in / commitment from partners. Para 4.1: As you progress the consultation you will need to ensure that the objectives flow from and link to the spatial portrait and issues etc. (see general comment 3 above). Para 5: Timescale - please may we have your estimate of the likely publication date?

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Rachael Richardson	Ryedale DC			Web		Other	Thank you for consulting Ryedale District Council on this document. We have no comments to make.
E. Botham	E. Botham and Sons			Letter	Q1	Support	Yes
E. Botham	E. Botham and Sons			Letter	Q3	Support with conditions	Yes providing acting as a 'catalyst' does not mean jobs at any cost. Employment should be encouraged from the town, for the town.
E. Botham	E. Botham and Sons			Letter	Q4	Observations	Public transport links, Leisure facilities e.g cinema, bowling and sports facilities.
Chris Coombs	Scarborough and NE Yorkshire NHS Trust			Letter	Q1	Support	Yes
Mrs R. King	Fylingdales PC			Letter	Q1	Support	Yes
Mrs R. King	Fylingdales PC			Letter	Q2	Observations	Surface water drainage has been inadequate in recent years.
Mrs R. King	Fylingdales PC			Letter	Q3	Support	Yes, strongly agree
Mrs R. King	Fylingdales PC			Letter	Q4	Support	No, we would prefer a roundabout not more traffic lights to enable free flow of traffic and stop congestion on the main road to Whitby.
Ms A. Hunter	Parish Clerk Ebberston and Yedingham Parish Council			Letter		Observations	The Parish Council do not feel able to comment on the document due to lack of knowledge of the area.
Rob Greaves	National Grid Transco			E-Mail		Observations	I wish to inform you that the National Grid does not have any assets within the vicinity of the Business Park. On this occasion, National Grid does not intend to provide any comments.
Ian Smith	English Heritage			Letter		Other	Thank you for consulting English Heritage on the Whitby Business Park Area Action Plan. At this stage we have no comments to make regarding the content of the document.
Ruth Hall	Sneaton PC			Letter	Q1	Support	Yes
Ruth Hall	Sneaton PC			Letter	Q2	Support	No
Ruth Hall	Sneaton PC			Letter	Q3	Support	Yes
Ruth Hall	Sneaton PC			Letter	Q4	Support	No
Ruth Hall	Sneaton PC			Letter	Q5	Observations	No
Chris Coombs	Scarborough and NE Yorkshire NHS Trust			Letter	Q3	Support	Yes
Chris Coombs	Scarborough and NE Yorkshire NHS Trust			Letter	Q4	Support	No
Chris Coombs	Scarborough and NE Yorkshire NHS Trust			Letter		Observations	Do not have the knowledge to comment
Ray Bryant	NYCC			Letter	Q1	Observations	The initial document provided by the 2 authorities seems to synthesise the strategic as well as local elements to the AAP. These include: Recognition of Whitby's 'principal town' role as per RSS and 'rural capital' as per Yorkshire Forward priorities on market towns. A necessity for longer term highways and environmental improvements to improve the site's general functioning and commercial image whilst not compromising particularly the National Park's special qualities. The role of the Business Park as per SBC Employment Land Review (ELR) in attracting occupiers that cannot be accommodated in town centre locations and on existing floorplates. This is acceptable provided that development and occupancy comply with the principle of sequentiality. Potential for type and extent of demand at Whitby Business Park must be clearly assessed, and especially in the context of meeting local need and not competing with the major regional and regeneration commitment at Scarborough Business Park.
Jean Fairey	Parish Clerk Newholm-Cum-Dunsley Parish Council			Letter	Q1	Support	Yes
Jean Fairey	Parish Clerk Newholm-Cum-Dunsley Parish Council			Letter	Q2	Support	No
Jean Fairey	Parish Clerk Newholm-Cum-Dunsley Parish Council			Letter	Q3	Support	Yes

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Jean Fairey	Parish Clerk Newholm-Cum-Dunsley Parish Council			Letter	Q4	Support	No
Jean Fairey	Parish Clerk Newholm-Cum-Dunsley Parish Council			Letter	Q5	Support	No
David Savage	Parish Clerk Hawsker-Cum-Stainsacre Parish Council			Letter		Observations	The Hawsker cum Stainsacre Parish Council have looked at the Whitby Business Park Action Plan has asked me to write the following comments. 1. The is ness to make the whole site eother retail or business only the halfway house at present is not good enough, many businesses have already moved out of town to the industrial site. 2. Landscaping is needed in certain areas of the site. 3. Parking on the access roads should be forbidden. 4. All access roads need to link up so there are no dead ends which cause a fire safety problem. 5. With three access roads on the A171 the present speed limit of 40mph is too high for safety of road users. 6. There should be no traffic lights along the A171 as stationary traffic would restrict egress from all three access roads. 7. New land needs to be made available for the next plan. Some land is designated Leisure and Amenity, and need to be retained as a buffer zone between housing and industry. 8. There is a need for one or two larger units of 1500 sq ft or more to provide space as businesses expand, and release smaller units for new businesses.
Ms P M Kenworthy	Aislaby PC			Letter	Q2	Other	A mix of development is important, retail, offices and industrial. We need a large alternative to the CO-OP out of the town centre, it will reduce the number of people spending money out of town and be more eco friendly. Equally established offices in town require modern, well serviced buildings with parking for staff and clients and new businesses also require such facilities. Existing industrial businesses need support and new businesses need workshops and warehousing. Retail needs to be limited.
Vicki Ingleby	Turley Associates			Letter		Observations	Thank you for consulting us on the discussion paper setting out the proposed approach to the Area Action Plan (AAP). We are pleased to enclose representations on behalf of Sainsbury's Supermarkets Ltd.
Vicki Ingleby	Turley Associates			Letter	Q1	Support	As a major landowner of a site within the defined AAP boundary on Stainsacre Lane (see attached plan), Sainsbury's welcome the publication of the document and its aspirations to improve Whitby Business Park. The issues identified within the discussion paper are pertinent and relevant to the future development and improvement of the business park. In particular, we welcome the references to unlocking the potential of undeveloped sites and improving site facilities for local employees.
Vicki Ingleby	Turley Associates			Letter	Q2	Observations	In line with emerging Government guidance contained within Draft PPS4 "Planning for Prosperous Economies", the AAP should recognise the role that retail development can play in regenerating the business park. This is pertinent given the recent Homebase development and the planning application for a new Sainsbury's store that will be submitted shortly to Scarborough Borough Council. These uses complement the Class B uses on the wider business park and are key to improving the site frontage on Stainsacre Lane and therefore the general image of the Business Park. The provision of these facilities will also enhance the attractiveness of the park to existing and future occupiers.
Vicki Ingleby	Turley Associates			Letter	Q3	Support	Sainsbury's support the draft objectives set out in the discussion paper and recognise that these will evolve as the evidence base is commissioned. It is important that the design objective is flexible enough to accommodate the needs of individual developers or occupiers.
Vicki Ingleby	Turley Associates			Letter	Q4	Observations	To facilitate economic development, as defined by Draft PPS 4, in the business park that generates employment, provides services to resident of Whitby and improves the environment.
Vicki Ingleby	Turley Associates			Letter	Q5	Observations	The extent of the AAP boundary should reflect the sites currently allocated within the Scarborough and North York Moors development plans. The discussion paper excludes land to the North of Fairfield Way (adjacent to Whitby Seafood's) which is allocated for Class B1/ B2 uses within the North York Moors Local Plan. This land should be included. I trust that these comments are useful and look forward to discussing the Area Action Plan with you in the near future.
John Pilgrim	Yorkshire Forward			Letter		Observations	Thank you for seeking Yorkshire Forward's comments on the above document. We welcome the opportunity to participate in the development of local planning policy within the Yorkshire and

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							Humber region as part of our role as a statutory consultee. Yorkshire Forward supports the intention to develop an AAP for the Whitby Business Park; this will provide clarity for developers and investors interested in the site, and support Whitby in developing its role as a principle town. Policy C1 of the RSS states that plans in the Coast sub-area of the region should look to diversify the economic base of the sub area and open up employment opportunities without compromising environmental, landscape and heritage assets, and the AAP will be an important tool in assessing how the Whitby Business Park can contribute towards this.
John Pilgrim	Yorkshire Forward			Letter	3	Observations	The policy context outlined in the discussion paper is considered appropriate, identifying relevant policy documents across the range of spatial scales. Analysis of these documents, and their implications for the Whitby Business Park, will be important in ensuring that the AAP and any subsequent development of the park, will contribute to wider local, regional and national policy intentions. It is emphasised, however, that 'Assessing the Economic Performance of Rural Capitals in Yorkshire and the Humber' produced by Yorkshire Forward is a report and evidence base rather than a policy, and this should be reflected in the way that it is considered when setting the context for the AAP. Assessing the existing highways layout, and the potential for alternative road layouts, will be an important element in improving linkages within the site and in ensuring that highways safety problems are not encountered as a result of the business park or any future expansion of it. It is also considered that assessment will also need to be made of the accessibility of the site by public transport. This is an important element in reducing the impact of the private car, and has significant implications for the sustainability, and therefore the appropriateness, of any future expansion or development on the site. The requirement for all new buildings in the National Park area of the business park of over 200m2 to offset at least 10% of the predicted CO2 emissions through on site renewable energy generation is supported by Yorkshire Forward, and will contribute towards the target set out in the RES to reduce CO2 output across the region by 20-25% by 2016. However, it is considered that limiting this requirement to only the areas of the park within the National Park Boundaries does not support the objective of the AAP to enable a consistent approach to the determination of planning applications between the North York Moors National Park Authority and Scarborough Borough Council. The APP provides an opportunity to consider how future development across the whole of the Whitby Business Park can maximise its contribution to the reduction of CO2 emissions, and it is recommended that a consistent approach is taken across the site. It is also important that the overall carbon emissions of new development should be reduced in the first instance and it is suggested that, in setting design guidelines for new development on the site, the AAP should outline what BREEAM rating new development will be expected to achieve. Exploring how the Whitby Business Park is to develop in the future, and its role in relation to Whitby, surrounding areas and other employment sites, will be a significant part of the AAP. It will be important to consider the role of the business park in relation to other employment sites in the vicinity, as well as and in terms of how it will support the development of Whitby as a principle town. Yorkshire Forward welcomes the acknowledgement of the findings of the Rural Capitals study, and the recognition of the potential of this site to support the development of higher value sectors in Whitby. An evidence based approach will need to be taken when considering the range of commercial activities that may be appropriate for the site - particularly when considering the potential for retail. As outlined in PPS6 and the draft PPS4, when planning for town centre uses such as retail consideration needs to be made of the need and the appropriate scale of development, the impact on existing centres and the accessibility of the site, with a sequential approach to site selection prioritising locations in existing centres. Moreover, as highlighted in the objectives of the AAP in the discussion paper, considering future uses of the site will require allocations in the Scarborough and former North York Moors Local plans to be reviewed along with an assessment of the extent and type of employment land needed within the districts to meet and stimulate future employment land demands.
John Pilgrim	Yorkshire Forward			Letter	4	Support	The objectives outlined in the discussion paper are largely considered to be appropriate for the AAP. Yorkshire Forward supports the objective to contribute towards Whitby's role as a principle town, as identified in the RSS, which will involve the development of employment facilities to meet local needs. It is also considered important that the AAP develops a consistent planning framework across the whole of the business park site, and that full assessment is made of the type and extent of employment land which is required at the site and so these objectives are

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							similarly welcomed. It is considered that a further objective for the AAP should be to develop a clear understanding of the role of the Whitby Business Park, both now and in the future, with a strong vision of how it will develop in order to fulfil its potential. Finally, I hope the above comments are helpful and I look forward to future opportunities for involvement in the Local Development Framework preparation process. Please do not hesitate to contact me if you have any comments or queries regarding this response.
Tom Pagett	Environment Agency			Letter	3	Support	3.4 - We fully support your drive towards on-site renewable energy. Provision of micro renewable technology is one in a suite of measures to work towards the overarching aim of sustainable development- to combat the effects of climate change. In addition to the above, we recommend that guidance on sustainable construction and energy efficiency is incorporated into the final document. The promotion of BREEAM standards would lead to more energy efficient buildings with lower CO2 emissions. One method to improve the energy efficiency of buildings is the incorporation of green roofs. They provide high standards of insulation, reduce surface water run off, create valuable habitat for birds and insects and reduce the visual impact of developments. Further details can be found using the link below: <a href="http://www.environment-agency.gov.uk/business/sectors/91967.aspx">http://www.environment-agency.gov.uk/business/sectors/91967.aspx</a>
Tom Pagett	Environment Agency			Letter	4	Other	4.1 - One of the key objectives for the AAP is "to propose environmental improvements to improve the quality of the environment at the site". We would wish to see greater detail in the document as to how this should be achieved. As the site lies at the edge of the National Park boundary close to key habitat sites the provision of Green Infrastructure is one way to protect and enhance wildlife corridors whilst simultaneously reducing the visual impact of developments and providing environmental improvements for employees.
Tom Pagett	Environment Agency			Letter		Other	The area covered by the AAP is located in close proximity to existing industrial sites. There is a likelihood that some level of contamination may be present in the area immediately surrounding existing heavy industrial uses. In accordance with the aspirations of Planning Policy Statement 23: Planning and Pollution Control, we would wish to see guidance advocating remediation of existing pollution in addition to reducing the risk of pollution from developments. We would welcome guidance which advocates the provision of Sustainable Drainage Systems (SuDs) as described in Annex F paragraph F7 of PPS 25. Paragraph F14 of PPS 25 and paragraph 22 of Planning Policy Statement 1: Delivering Sustainable Development place the onus on LPAs to promote SuDs schemes within development plans. Such schemes have numerous environmental benefits including reducing flood risk, attenuating surface water run off and improving the ecological value of the site. As applications for developments on the proposed sites may come in as piecemeal applications, we would welcome the provision of an integrated surface water drainage scheme incorporating SuDs to address surface water drainage for the whole site.
Simon Jones	Highways Agency			Letter		Observations	Thank you for your invitation to consult on the Whitby Business Park Area Action Plan Draft Discussion Paper. The Highways Agency has reviewed the document and would wish to comment on issues that are relevant to the interests of the Agency. The Highways Agency's key concern is to protect the primary role of the Strategic Road Network (SRN) and to ensure its safe and efficient operation. The Highways Agency would therefore have concerns over any development proposals or plans which could have a material impact on this. Circular 02/2007, Planning and the Strategic Road Network, sets out the Highways Agency's role in the LDF process. Within Scarborough district there is one section of the Strategic Road Network (SRN) managed by the Highways Agency on behalf of the Secretary of State for Transport. This is the A64(T), an all purpose single carriageway trunk road, connecting Scarborough with Malton, York, the A1(M) and thus to the national strategic motorway network. The trunk road terminates at Musham Bank Roundabout on the southern outskirts of Scarborough between the villages of Crossgates and Eastfield. Whitby is relatively remote from the SRN and traffic from Whitby seeking to access the SRN tends to do so via three routes: - A169/A170 through Pickering and Helmsley to A19 (T) at Thirsk, and - - A171 via Guisborough to A19(T)/A66(T) at Middlesbrough Hence, it is felt that development in this location is unlikely to generate significant flows on to the SRN, although the Highways Agency would like to be involved in discussions on the likely scale of the allocation at Whitby Business Park. It is worth highlighting that the A64(T) is subjected to a considerable amount of leisure traffic travelling between the urban conurbations of south and west Yorkshire, the Yorkshire coastal towns and North York

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							Moors National Park. This can result in a considerable variation in traffic demand levels, particularly at weekends and on bank holidays. There are traffic delays on the A64(T) due to its regular use by farm vehicles, particularly between Malton and York. There are several locations on the A64(T) that have experienced a poor accident record. Some of these have been addressed by the Highways Agency with localised accident reduction schemes. The Highways Agency would like to request that the Area Action Plan consider the development of an Area Travel Plan for Whitby Business Park as part of their objectives. Travel Plans are an integral part of the planning process and an essential measure to mitigate the impact of traffic generated by new development. A Travel Plan will be used as the foundation for a Transport Assessment prepared in accordance with the Communities and Local Government / Department for Transport guidance and it should be in conformity with prevailing guidance. Travel Plans should demonstrate a firm commitment by developers and occupiers to reduce the number of single occupancy car trips generated by, or attracted to, their site. They should set out mode options available to travellers, identify interventions to enhance the availability and capacity of sustainable transport modes (such as walking, cycling and public transport), set mode share targets based on those modes, identify a system for monitoring the effectiveness of the plan and a programme for reviewing and modifying it to ensure agreed outcomes are achieved. At this point the Highways Agency would foresee nil detrimental impact on the TRN (A64) as a result of this development. Should however the scale and nature of development differ in the future as aspirations or developer led initiative change, the Agency would wish to remain as consultees.
Pam Dobson	Whitby Town Council			Letter	3	Support with conditions	3.2 Members support the investigation of alternative road layouts but suggest that the plan should seek to minimise total traffic into the site by development of good public transport links. 3.3 Members support the proposals to improve the landscaping and signage but feel more information is needed. 3.4 Whilst Members support the Core Policy E of reduction of at least 10% CO2 emissions, they feel this could be taken further and seek to reduce by more than 10%.
Pam Dobson	Whitby Town Council			Letter	3	Object	3.6 Members are not in agreement with the exploration of retailing at the Business Park, and they would draw the attention of the Borough Council to the Town Centre First policy. Members do support the suggestion of more "high tech" business space made by Yorkshire Forward.
Pam Dobson	Whitby Town Council			Letter	Q2	Other	Members would like included: The consideration of environmental controls for all users (including existing) to have adequate containment for run off to ensure that no contaminants or pollutants can find their way into Spital Beck (see T Broderick versus NYCC). The installation of 3 phase electricity to the site to attract potential businesses requiring this level of energy. The opportunities for providing training facilities for local people in liaison with industry and education. The exploration of funding opportunities for new businesses (i.e. Princes Trust). Further detail about the visual appearance of developments and the methods to be used, screening, enhanced landscaping such as embankments.
Pam Dobson	Whitby Town Council			Letter	Q3	Support	Whilst Members agree with the proposed objectives in principle and fully support the introduction of skilled and skilling there is concern that jobs at any prices will result in increased pressure to allow retail.
Pam Dobson	Whitby Town Council			Letter	4	Other	4.1 Members queried what is meant by the improvement of site facilities for employees? Does this mean bus services are envisaged to minimise traffic? Define allocations (buildings/land)?
Pam Dobson	Whitby Town Council			Letter	Q4	Other	As tourism is major industry in the Town, the visual appearance of the entrance to the site needs to be protected and enhanced. The minimisation of visual and environmental impact on habitats such as the salt marsh. Access to training. Direct consultation within Whitby to take account of public opinion. Exploration of potential re-location of existing businesses to improved premises.
Pam Dobson	Whitby Town Council			Letter	Q5	Other	Members do not have any at this time.
KeyLand Developments Ltd	KeyLand Developments Ltd	Graeme Holbeck	O'Neill Associates	Letter		Other	1.1 These representations are submitted on behalf of KeyLand Developments Ltd, which is the property development arm of the Kelda Group. The Company has significant land holdings to the south of Stainsacre Lane (A171), to the west of Whitby Business Park. The land, known as "Broomfield Farm", occupies 17.88 hectares of land in a prominent position at the southern gateway into Whitby (see Location Plan, Appendix 1). It comprises open countryside with a central access road which connects Stainsacre Lane with the buildings at Broomfield Farm and the Whitby waste water treatment works to the south. The farm buildings are no longer used for farm related uses and are currently let as holiday homes. The works are relatively new and there are no plans for their future extension. The land to the north of the farm and the works is therefore

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							surplus to operational requirements. It serves no function other than to facilitate access to these facilities. 1.2 The preparation of an Area Action Plan (AAP) for Whitby Business Park makes it timely to consider future opportunities for the use of our clients land. The AAP provides a mechanism to shape the way in which future development proposals for the land are brought forward. These representations focus on the opportunities that exist to promote positive change. They consist of 3 sections structured around the 5 questions that are posed in the Whitby Business Park AAP discussion paper, including: i,• Questions 1 and 2: Do the proposed contents of the AAP cover all of the relevant issues and are there any additional matters/issues that you would like the document to include? i,• Questions 3 and 4: Do you agree with the proposed objectives of the AAP and are there any other objectives that the AAP should seek to achieve? i,• Question 5: Are there specific sites or areas of land that should be considered for possible expansion of the Business Park?
KeyLand Developments Ltd	KeyLand Developments Ltd	Graeme Holbeck	O'Neill Associates	Letter	Q1	Support with conditions	Chapter 3 of the discussion paper sets out the proposed content of the Area Action Plan, which will be based around a number of key themes including policy context, highway layout, environmental improvements, further development of the Business Park and implementation. In relation to the further development of the Business Park, it explains that the AAP will explore the range of commercial activities that are appropriate for the site including retailing. Whilst KeyLand is supportive of this approach, it is important that any appraisal of sites is not confined to former local plan allocations and that land at the wider environs of the Business Park is considered in the same context. Specifically, KeyLand encourages the AAP to look beyond the site to the north of Whitby Seafoods (formerly allocated in the North York Moors Local Plan) in considering future expansion opportunities for the Business Park. By making reference to formerly allocated sites and the need to assess the constraints that have so far impeded their development, the AAP is being somewhat dismissive of possible expansion opportunities that exist elsewhere. We therefore feel that any assessment of site constraints and expansion opportunities should be extended to include all available land on the fringes of the Business Park. The feasibility study, commissioned as a separate study from the AAP should look at the potential to create links outside the boundaries of the Business Park in order to exploit surrounding development opportunities. This point is developed further in our response to Question 3, 4 and 5.
KeyLand Developments Ltd	KeyLand Developments Ltd	Graeme Holbeck	O'Neill Associates	Letter	Q2	Support with conditions	See Q1
KeyLand Developments Ltd	KeyLand Developments Ltd	Graeme Holbeck	O'Neill Associates	Letter	Q3	Support with conditions	In the main, KeyLand agrees with the proposed objectives of the AAP as set out in paragraph 4.1 of the discussion paper. However it is felt that the wording to bullet point 6 (set out below) should be less specific in its reference to former local plan allocations. In its current form, the objective is "To review allocations in the Scarborough and former North York Moors Local Plans and assess the scale of further allocations required to meet foreseeable and / or stimulate demand together with the type of employment land needed" This suggests that the assessment of future expansion opportunities will only take place after any review of the formerly allocated sites. As previously discussed, a more pragmatic and consistent approach would be to carry out a comprehensive review of all land on the fringes of the business park regardless of any previous allocations. This should focus on the availability and deliverability of the land and its ability to support commercial and other forms of development. It will ensure that any future expansion of the park is brought forward on the most suitable land. Considering these factors, KeyLand suggests the rewording of this objective as follows: "To assess the opportunities for the future expansion of the business park in order to meet foreseeable and / or stimulate demand and to allocated land accordingly, identifying the type of employment land needed" Such an approach would place more emphasis on the delivery of the Plan's objectives, which is a current weakness. The discussion paper suggests that the feasibility study for Whitby Business Park, which is being run in tandem with the AAP, will have a greater focus on delivery and implementation. Nevertheless, it is important that as one of its main objectives, the AAP, acknowledges the need to identify suitable delivery mechanisms to tackle issues such as the need for environmental improvements and modifications to the highway layout within the Business Park. Therefore, it is proposed that an additional bullet point be added to state that one of the objectives of the AAP is: "To identify appropriate mechanisms for the delivery of these objectives and to create a delivery framework."
KeyLand	KeyLand	Graeme	O'Neill	Letter	Q4	Support with	see Q3

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Developments Ltd	Developments Ltd	Holbeck	Associates			conditions	
KeyLand Developments Ltd	KeyLand Developments Ltd	Graeme Holbeck	O'Neill Associates	Letter	Q5	Support	<p>Site Description The land at Broomfield Farm covers approximately 17.88 hectares (see Site Location Plan, Appendix 1) to the south of Stainsacre Lane immediately opposite the Whitby Business Park. It is made up of a series of grass fields and hedgerows located either side of a central track which runs between Stainsacre Lane and Yorkshire Water's waste water treatment works, further south. To the west are East Whitby Community Primary School and its associated playing fields; to the east is open countryside (see Site Photographs at Appendix 2). Located on the edge of the Whitby urban area, the land straddles the administrative boundaries of Scarborough Borough Council and the North York Moors National Park Authority, although the majority of the land falls outside the National Park. In considering sites for the future expansion of the Whitby Business Park, the land at Broomfield Farm offers a unique opportunity to bring forward a mixed use development in an accessible location that is adjacent to the urban area. The development of this land has the potential to deliver a range of benefits both within the existing business park and within the town as a whole. These include:</p> <ul style="list-style-type: none"> <li>• The creation of new commercial and employment opportunities on land which is both available and deliverable, outside of the North York Moors National Park, at the edge of Whitby urban area</li> <li>• The provision of a new park and ride site in a strategic location at the southern gateway into Whitby, helping to meet North Yorkshire County Council's long term aspirations to reduce traffic congestions within Whitby town centre.</li> <li>• The provision of a new four arm roundabout or light controlled junction on Stainsacre Lane to improve access to the Business Park and to improve highway safety along Stainsacre Lane in response to the concerns raised by the Highways Authority.</li> </ul> <p>Development Uses The land at Broomfield Farm, at 17.88 hectares, offers sufficient capacity to bring forward a range of development uses to create new employment opportunities in this area of Whitby and to assist in the delivery of some of the long term planning aspirations of the town as a whole. Amongst the main objectives of the AAP is the need to facilitate significant public realm improvements within the Business Park, to improve access to the site to and from Stainsacre Lane and to improve links within the site to develop areas for future development. It is understood that these are longstanding issues within the Business Park that have not been addressed due to a lack of available funding and investment. The AAP provides the opportunity to attract new investment and to create a framework for securing new funding through planning obligations attached to future planning consents within and adjacent to the Business Park. In order to generate funds for investment it may be necessary to promote some higher value end uses, to sit alongside new and existing business and industrial uses within an expanded Business Park. For instance, there is an acknowledged deficiency in the supply of retail premises within Whitby. The Scarborough Retail Study (December 2007) identified a quantitative need for a larger supermarket (up to 2,500 m<sup>2</sup> net i.e. a net extension of the existing supermarket of 800 m<sup>2</sup>) and some small scale retail warehousing within the town. The household survey carried out in support of this study, indicates that there is a qualitative need for an improved food and non-food shopping offer in Whitby to reduce leakage to Scarborough and Middlesbrough. Given the built up nature of Whitby and the challenging topography of the town as a whole, it is difficult to see where this need can be addressed. The land in and adjacent to the Whitby Business Park represents one of the very few opportunities to address this shortfall. In this context, the land at Broomfield Farm represents a suitable candidate for the provision a moderately sized retail scheme to sit alongside new office and industrial based uses within an expanded Business Park. There is also sufficient capacity to accommodate other complementary uses such as the provision of a new petrol filling station in an accessible location on the southern approach into Whitby. Such a scheme could generate sufficient development values to invest in infrastructural improvements in this part of the town, including the provision of a new park and ride site. Park and Ride Site Limited accessibility and car parking within Whitby town centre is currently a major problem for the town. In February 2009, planning permission was granted for a 450- space park and ride facility on a 4.5 hectare site along the A171 at the western approach to the town. It is anticipated that the proposals will be in place by the summer of 2010, helping to address this problem. The provision of a second, albeit smaller, park and ride site at the southern gateway to Whitby would alleviate congestion problems further. It would increase the opportunities for sustainable travel within Whitby and could also facilitate the long term aspirations to pedestrianise the town centre. It is feasible that KeyLand could supply the land and partial funding to provide a new park and</p>

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							<p>ride site as part of the mixed use development of land at Broomfield Farm. Without this cross-subsidy, it is unlikely that plans for a further park and ride site in this area of Whitby will materialise at a date in the near future as it is understood there is neither the land nor the funding available. Highway Improvements Works along Stainsacre Lane The provision of a new park and ride site and mixed-use commercial development at Broomfield Farm will bring with it improvements to the current access arrangements along Stainsacre Lane. The existing situation is considered to be unsafe and highly inefficient. Improving it is one of the main objectives of the AAP. In order to facilitate the expansion of the Business Park and to consolidate the current access arrangements by creating a primary entrance to the park, it is likely that a four-arm roundabout or light controlled junction would need to be provided at the junction of Fairfield Way and Stainsacre Lane. This would require additional land to be made available at this junction. Again, the land at Broomfield Farm could be used to accommodate an improved junction, which could also be partially funded as part of the comprehensive development of the land. Fairfield Way is the central of three separate access routes currently serving the Business Park off Stainsacre Lane and provides links to the majority of the park. Improved controls at this junction through the provision of a new roundabout or signalling will reduce the speed of vehicles travelling along Stainsacre Lane, improving safety at its junctions with Enterprise Way to the east and Cholmley Way to the west. Furthermore, improving the capacity of the junction at Fairfield Way will allow it to take additional traffic away from these routes, if, in the future, internal links within the Business Park can be improved allowing these junctions to be closed. Development Masterplan Considering the above factors, it is clear that the land at Broomfield Farm has the potential to deliver a range of benefits to the redevelopment of the Whitby Business Park and to the town as a whole. In this light, KeyLand has given some thought to how the land could accommodate the scale and form of development proposed. In doing so, particular attention has been paid to the need to respect the existing landscape setting of the land, on the boundary of the National Park. The conceptual land use masterplan (Appendix 3) demonstrates how a landscape led masterplan for the land could provide a high quality setting for new development. It shows built development concentrated toward the main frontage on Stainsacre Lane but at a slight set back which is consistent with the approach that has been taken on the opposite side of the road (see Photograph 3, Appendix 2). The provision of a green buffer along the northern and eastern boundaries of the proposed development will soften its impact on the surrounding landscape. There is no built development proposed within the boundaries of the North York Moors National Park and a significant interface of approximately 200m is provided between the development and the Yorkshire Water sewage treatment works to the south. By concentrating development in the northern part of the land, adjacent to East Whitby primary School and the built up area, the proposals will appear as a natural extension of the Whitby urban area and reflect the built development that already exists to the north of Stainsacre Lane. Development Constraints There are no significant physical constraints that would restrict the future development of Broomfield Farm. The topography of the land is relatively flat, rising gently from Stainsacre Lane to the north before falling gradually towards the waste water treatment works to the south. It benefits from direct access off Stainsacre Lane and occupies a significant frontage along this route. The land is in single ownership and is currently available for development. In considering future development options for the land, there is a sufficient land mass to enable a sympathetic development that respects its existing landscape setting and its location partly within the North York Moors National Park. There is also enough land to create a suitable buffer between future development and the waste water treatment works to the south, mitigating any impacts of odour emanating from the works. Planning Policy Context The land falls outside the existing development limits of Whitby as designated by the Proposals Map which accompanies the Scarborough Borough Local Plan (April 1999). By virtue of this, the land is regarded as open countryside where development will only be permitted where it is located to avoid or minimise the loss of the best agricultural land and are either proposals for which an open countryside location is essential or are proposals for the re-use or adaptation of buildings. Notwithstanding this, the area of the land proposed for built development is the only site located on the fringes of the Whitby Business Park that can come forward without encroaching further into the North York Moors National Park, a nationally designated landscape that should be afforded the highest status of protection. The superseded North York Moors Local Plan (May 2003) allocated two areas of a combined 7.49 hectares to the</p>

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							north and north-east of the Whitby Business Park for employment related development under Policy E8. Both lie within the designated National Park. The supporting text to Policy E8 justifies the allocation of these sites. It states that given the historical commitment to the site and Whitby's situation as a town of challenging topography closely surrounded by the National Park which restricts the areas available for economic development, an exception can be justified to the general restrictions on development of this scale within the National Park Whereas the site to the north east has planning consent for 8 employment units the more substantial site to the north has remained undeveloped despite having been allocated for over 20 years. It is understood that this is largely due to a number of constraints affecting the site such as its marginal status, steep topography, poor accessibility and conflicts over the ownership of the land. The land proposed for development at Broomfield Farm is by comparison, relatively unconstrained. It is in single ownership and is available for development. It occupies a prominent position at the southern gateway in to Whitby, in an accessible location that will be attractive to existing and new businesses seeking to expand or relocate. The land offers suitable expansion space for the existing Business Park without encroaching further into the boundary of the North York Moors National Park. Given its location outside of the National Park boundary, the land is sequentially preferable in planning policy terms than both of the previous sites put forward for development. Whereas the majority of the land lies within the administrative boundary of Scarborough Borough Council rather than the North York Moors National Park Authority, if a consistent approach is taken to land on the fringes of the Business Park then the land at Broomfield Farm should also be allocated for development. Considering these factors, KeyLand strongly urges the AAP to look beyond sites previously allocated for development in considering future expansion opportunities for the business park. The advent of an AAP for the Whitby Business Park provides a significant opportunity to shape and co-ordinate the future development of the wider area over the long term. It represents another important step in the emerging Local Development Framework for the North York Moors National Park Authority following the adoption of the Core Strategy and Development Policies Document in November 2008. The policies in these documents now supersede the policies in the Local Plan. The redevelopment of Broomfield farm for employment, retail and complementary uses has the potential to play a pivotal role in the expansion and regeneration of the Business Park.
Mr D. Clancy	Harrison Developments Ltd	Mark Jones	Barton Willmore	Letter		Support	We write on behalf of our client S Harrison Developments Ltd who are an important local developer having been involved in delivering a number of residential and employment projects in the Scarborough district, such as the following: Re-development of an area of derelict waterfront on Whitehall Landing, Whitby; Housing accommodation at Dulverton Hall, Scarborough; Redevelopment of derelict building on Swan Hill Road and Sussex Street, Scarborough; and Scarborough Building Society headquarters on Scarborough Business Park. In light of their involvement in the local area, S Harrison Developments Ltd wish to ensure that there is sufficient employment provision in the local area to help support the local economy. We therefore provide the following comments in response to the Whitby Business Park Area Action Plan (AAP) draft discussion paper which is currently issued for consultation. Our client acknowledges that the site is split between Scarborough Borough Council and the North York Moors National Park Authority and therefore welcomes this joint document, to ensure that Whitby Business Park is dealt with as a whole, to allow a consistent approach to be taken when assessing future planning applications. Whitby Business Park has been developed over a number of years since the original units were built in the 1960s with uses ranging from starter units to light industrial workshops and purpose built factories. Scarborough Council's website under its business section states that there are only three major business parks in the Borough of Scarborough which are: The Scarborough Business Park; Whitby Business Park; and Hunmanby Industrial Estate. The Council's website also states that the above three business parks all provide top quality accommodation for a variety of companies. Our client agrees that these are the most important business parks in the Scarborough region. Whitby Business Park is located adjacent to a good road network providing quick and convenient access to key towns in the region. It provides a key employment location in Whitby and is the only such facility in the town. There is a need to protect and enhance Whitby Business Park to grow alongside growth in new housing. Our client is aware that Scarborough Council earlier this year was undertook an infrastructure feasibility study for Whitby Business Park. The reason for this was due to the fact that the site is reaching capacity and unless further

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							<p>land is opened up, business expansion opportunities in Whitby will be restricted. This would have adverse effects on the local economy. Proposed highway improvements would be very much welcomed to help enhance the business park. This would help create and safeguard jobs in Whitby and the surrounding area. National Planning Policy It is noted that Planning Policy Statement 12 Local Spatial Planning states that Area action plans should be used where there is a need to provide the planning framework for areas where significant change or conservation is needed. Area action plans should: Deliver planned growth areas; Stimulate regeneration; Protect areas particularly sensitive to change; Resolve conflicting objectives in areas subject to development pressures; or Focus the delivery of area based regeneration initiatives. Our client welcomes the introduction of an Area Action Plan to help protect, enhance and develop the business park. The Consultation Draft Planning Policy Statement 4 "Planning for Sustainable Communities (May 2009) proposes to combine all national planning policy on urban and rural economic development and town centres into one streamlined PPS. The draft emphasises the need to plan positively and proactively for economic development, within the context of sustainable development. The planning system will be important in helping the economy recover. It emphasises the need for flexible planning policies which support new businesses start-ups, the growth of businesses, attracting inward investment and increasing employment. This further supports the need to allocate the site and expansion land around it, as protected employment land for B1, B2 and B8 type uses. Regional Spatial Strategy The Yorkshire and Humber Plan Regional Spatial Strategy to 2026 (adopted in 2008) in Table 11.1 suggests a potential annual job growth in Scarborough of 160 jobs. Table 11.2 splits potential annual job growth by different land uses and for main employment uses, it suggests that there will be a significant increase in B1(b), B1(c) and B2 uses as opposed to B8 storage and distribution type uses. The rise in these types of uses is at a rate equivalent to main town centre uses such as retail &amp; leisure and B1(a) offices. This indicates that there is a strong need not only to protect existing major employment sites such as Whitby Business Park, but also there is a need to provide more employment land for B1b, B1c and B2 type uses. Policy E3 of the RSS goes on to state that plans and strategies should make use of appropriately located previously developed land and current allocations and ensure the availability of sufficient land and premises in sustainable locations to meet the needs of a modern economy. Table 11.3 on page 147 of the RSS, indicates that between 2006 and 2021 there will be a 10 hectare net change in land in industrial and storage/distribution type uses. The table states the following: (see attached document for tables). Therefore between 2006 and 2021, Scarborough will have to provide approximately 10 hectares of additional land for B2 and B8 type uses. Table 11.3 is based on Arup's report for GOYH Update of the Job Growth and Employment Land Figures in draft RSS for Yorkshire and Humber produced in June 2007. This document identifies that between 2006 and 2021, Scarborough will require 12.1 hectares of land to accommodate the growth of B1, B2 and B8 uses. Policy E5 of the RSS relates to safeguarding of employment land and states the following: LDFs should define criteria or areas where it is considered necessary to offer special protection to designated employment sites. This approach should be applied when it can be shown that: 1. It is necessary to safeguard employment land on the basis of the demonstrable level of competing demand from other land uses; and 2. The employment land so identified is necessary to support Policies YH4, YH5 and YH6; and 3. A review of employment land has been carried out in accordance with Policies E1-E4 or the sites are part of an area subject to an agreed masterplan. The RSS recognises that in certain parts of the Region, it is considered necessary to offer protection to land currently in employment-generating uses. It states that: "Long established clusters of employment activity might be subject to piecemeal erosion by redevelopment in the face of pressures for change of use, or the demise of individual enterprises. It then goes on to say: "Consequently, consideration needs to be given to the identification of such sites as locally important sites to be protected (or safeguarded) for employment use. Our client fully supports RSS which identifies Whitby as a Principal Town. Policy C1 of the RSS identifies that plans, strategies, investment decisions and programmes for the Coast sub area should develop the Principal Town role of Whitby and regarding Economic Development should respond to peripherality by developing tourism, local services and businesses which utilise but do not compromise environmental, landscape and heritage assets. Reference is made to the A171 in section 9.8 of the RSS, which recognises it as an important transport link. It acknowledges that outside of the main "A" road corridors, sub areas in the district</p>

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							are characterised by lower capacity road links. Local Plan Whitby Business Park is unallocated within the Scarborough Borough Local Plan (adopted 1999), although land to the north is allocated as a Proposed Employment Site. For non allocated employment sites there is a general policy (Policy I.4) which relates to the safeguarding of existing employment sites. Given that this site is a well established location for key businesses, it is considered that this site should be allocated as a key employment site (B1, B2 and B8) in the LDF to help retain and protect such uses. Local Development Framework The Councils Annual Monitoring Report 2008, states that:- "The current level of employment land supply should be retained and safeguarded throughout the Borough. In the case of small, fragmented town centre employment sites, future policy should consider the potential for re-use on a site-by-site basis, based on their physical characteristics, role in the local economy and demand by businesses and customers. Any releases of low quality urban employment sites should be matched by the allocation of new, high-quality employment sites within urban areas". Whitby Business Park is a major business park which provides top quality accommodation (as stated on Scarborough Borough Council's website). It provides a significant amount of employment land for Whitby and therefore needs to be retained and safeguarded. In order for Whitby as a Principal Town to reach its economic potential, it needs to provide a range of sites for development needs of businesses. The RSS has already identified a future increase in B1, B2 and B8 type uses and given that there are only three major business parks in the Scarborough District, all three of these need to be protected and where possible enhanced.
Paul Byers	Seaview Property Developments			Letter	Q1	Support with conditions	Yes, the main points have been covered. I would consider points 3.5 to 3.7 vital to the future of the business park, investment from retailers will give the park a much needed boost however any investment needs to be controlled as well as encouraged. Retail is already part of the park, but its fragmented, this needs to be addressed in a way that defines the different areas of the park.
Paul Byers	Seaview Property Developments			Letter	Q2	Observations	A corporate image within the park could help to encourage outside investment, if we are serious about attracting hi-tec industries then we need to look and be professional. Also the internal and external infrastructure needs to be agreed and co-ordinated with the land/business owners so future development is taken into consideration, we need to be more open minded about the future, what was good for the park yesterday may not be tomorrow.
Paul Byers	Seaview Property Developments			Letter	Q3	Support	Yes, employment creation should be one of the main objectives of the action plan, whether this comes from industrial, commercial or retail NYM and SBC need to encourage and promote investors to the town by having serviced land readily available. Land owners need incentives and support to achieve this.
Paul Byers	Seaview Property Developments			Letter	Q4	Observations	Work more closely with business park members, without their input and experience of what's happening 'on the ground' any changes are going to be difficult. If a good working relationship can be achieved and business park members are encouraged to develop ideas this can only help the park as a whole. We need to make the business park an area where people are happy to work and an area where controlled retail is available. Scarborough business park should be considered as a blue print to how a successful modern business park should be.
Paul Byers	Seaview Property Developments			Letter	Q5	Other	The strip of land that separates Fairfield Way and Enterprise Way (denoted hatched in green on the accompanying map under drawing number D9609-11) should be considered as strategically important in meeting the traffic flow issues highlighted in the new Area Action Plan. During previous investigations we found that this land is owned by SBC and that it is designated by NYM as green space and to act as a buffer strip between Fairfield Way and Enterprise Way. If this strip could be utilised for access as well as providing a natural break between both sites it would contribute greatly in improving the internal infrastructure of the whole business park. It could also be used to unlock zoned land adjacent to Whitby Seafoods which currently has no proper access, however no attempt has been made to develop this land over a sustained period of time. The location of some of this land and its topography would not be considered as suitable for reallocation in the new area plan due in 2011 as perhaps the land hatched red and marked as "Unclassified" in drawing D9609-11. It is adjacent to zoned industrial land (marked as "Seaview B" in drawing D9609-11 which has planning passed for 8 units in the current plan) and could readily be incorporated in any master plan as access and provision of services etc would not be an issue. The other issue in providing the link between Fairfield Way and Enterprise Way would be a suitable access onto Fairfield Way. One option would be the strip of ground adjacent to J C

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							Fabrications unit and the cement works. This land has been earmarked for providing such access as there is a retained ROW on it and a hammerhead had been left from the Fairfield Way end. However the strip would appear to be quite restricted and it's frontage onto Fairfield Way would be in the middle of an existing bend. A second option would be to take the access through the land marked as "Seaview A" in drawing D9609-11. This land is adjacent to land which was incorrectly earmarked for this purpose in an appraisal done for the Whitby and Esk Valley Service Centre Transportation Strategy. The land that was earmarked has already been built on and is the MKM Builder's Merchant's site. This "Seaview A" site would provide better access on to Fairfield Way as suggested in this document.
Anthony Grealley	Nathaniel Lichfield and Partners			Letter		Support	<p>On behalf of our client, The Co-operative Group, we are pleased to submit representations on the above consultation document. The representations are made in the context of The Co-operative Group's interests in Whitby, including its operation of the Co-op supermarket in Whitby Town Centre. General Overall, The Co-operative Group supports the local authorities' proactive approach to planning for future improvements to Whitby Business Park, to enhance its attractiveness and provide modern accommodation for new businesses. Whitby Business Park is a key employment location within Whitby and planning policy should create conditions whereby this role is maintained and enhanced. The comments set out below relate specifically to the reference in the Discussion Paper (at paragraph 3.6) to the AAP exploring the appropriateness of a range of commercial activities including retailing at the Park. Our comments are made in the context of the requirement for the AAP to be 'sound'. Soundness National planning policy set out in PPS12 - Local Spatial Planning, sets out that for a Development Plan Document such as an AAP to be considered 'sound' by the Secretary of State, it should be</p> <ul style="list-style-type: none"> <li>- justified, - effective and consistent with national policy. In respect of being 'justified', PPS12 confirms that the document must be founded on a robust and credible evidence base. In this regard, we note, at section 4 of the paper, that one objective of the Area Action Plan is to review allocations in the Scarborough and former North York Moors Local Plans and assess the scale of further allocations required to meet demand together with the type of employment land needed. We assume that this review is intended to inform decisions regarding the acceptability of introducing non business / industrial uses (potentially including retailing) at Whitby Business Park in the future. We note that the last Scarborough-wide Employment Land Review (ELR) was completed in 2006. The findings and recommendations of the 2006 Review are likely to have changed since its completion, due to the take-up of employment land and changes in the wider economy affecting demand. Any review of Whitby Business Park's requirement to contribute to the future employment land supply should not be conducted through the preparation of an AAP, rather through a comprehensive review of employment land demand and supply across the authority areas, by way of an up-to-date ELR. To carry out a selective review of Whitby Business Park in isolation, as part of the AAP, would be inappropriate and could risk the document being found to be unsound and not based upon robust evidence. In the absence of an up-to-date ELR, and therefore a clear understanding of Whitby Business Park's required role in meeting future employment land provision, it is premature to explore the potential for alternative non-employment (B Class) uses through the preparation of an AAP. Indeed, we note (at paragraph 3.5) that demand for business accommodation at the Park continues to be good and therefore, any consideration to release land at the park to non-employment uses should be done with a comprehensive understanding of employment land requirements, which would be gained through the completion of an up-to-date ELR. Retailing We note the reference to exploring the appropriateness of retail use at the Park through the AAP process. As set out above, in the absence of an up-to-date Employment Land Review, there is a risk that an AAP which endorses retail development at the Park would be found unsound, in the absence of necessary robust evidence. We are, therefore, of the view that the consideration of the Park's suitability for retail development should not feature in the AAP and instead, the AAP should be a document which establishes a strategy for improving the Park as a business and industrial location. Should, however, the authorities take forward the AAP to include a review of the site's suitability for retailing, it will be necessary for the AAP to be consistent with national planning policy in respect of retail and town centres. In this regard, Planning Policy Statement 6: Planning for Town Centres (or any subsequent replacement policy document) should be summarised in the AAP (which is omitted from the list of documents referred to at 3.1 of the discussion paper). In the absence of an</li> </ul>

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							<p>up-to-date Retail Capacity Study, the AAP should go no further than setting out that any proposals for retail development at the Park would need to demonstrate compliance with such national planning policy and the AAP should not set out any presumption in favour of retail development in this location. On the basis of the most recent borough-wide retail capacity assessment - the 2007 Scarborough Retail Study, there is limited capacity for further convenience goods floorspace in the Whitby area (estimated to be 700sqm net in 2011 and 900sqm net in 2016 if taken up by a full-line supermarket operator). The Study identifies that the limited capacity could be directed to development on the surface car park to the south of the Co-op supermarket in Whitby Town Centre and that there is scope for the extension / relocation / redevelopment of the store. There is, therefore, no evidence of a need for convenience goods retail development at Whitby Business Park and, indeed, any available capacity should be directed to development within or on the edge of Whitby Town Centre. Again, for this reason, the AAP should not establish any presumption in favour of retail development in this location. Given the limited capacity for further retail floorspace in Whitby, any large scale retail development at Whitby Business Park would divert a considerable amount of expenditure away from existing stores in Whitby Town Centre. Such trade diversion is likely to adversely impact upon the vitality and viability of the town centre and upon further investment therein, contrary to national planning policy.</p>