

8 October 2015 – Responses to Supplementary Questions

Public Questions

From Simon Thackray:

"This Council has recently approved major development in Malton that will have a significant impact on air quality - it's unquestionable - more houses, more cars, more pollution. Therefore will the Council now request that an air quality assessment be submitted to support the live GMI Wentworth Street car park planning application, so the Council can confirm to itself and to the residents of Malton that the cumulative impact of all new developments when combined with the impact of the new supermarket and filling station on Wentworth Street car park will not have a negative effect, a negative impact on air quality and endanger the health of the public?"

Answer:

"The current position is that the GMI planning application is still live because the planning permission has been quashed on judicial review.

GMI have been requested to clarify if they wish the planning application to be reported back to the Planning Committee for re-determination and if they have any further supporting information for the planning application. Council Officers are expecting a response soon.

If GMI want the planning application to be reported back to the Planning Committee for re-determination there is a question of whether or not the Council will ask for an air quality assessment.

If GMI want the planning application to be reported back to the Planning Committee for re-determination then the advice from Environmental Health is that they should be asked to provide **either** an Air Quality Assessment **or** fresh justification for not providing one (having regard to the recently issued Institute of Air Quality Management/Environmental Protection UK guidance 'Land Use Planning and Development Control: Planning for Air Quality May 2015 (v1.1). The guidance document contains quite specific criteria (pages 18-19) to assist in deciding whether an air quality assessment would be appropriate.

If the Environmental Health Officer considers that a planning application to be re-determined by the Planning Committee was inadequate without an Air Quality Assessment there would be a recommendation of refusal on those grounds. Members of the Planning Committee would make a planning decision having due regard to the Planning Officers report and all material considerations including the recommendation of the Environmental Health Officer."