

**From:** [REDACTED]  
**Subject:** FW: Pre-Application Advice - Dunstable  
**Date:** 12 January 2024 14:42:26  
**Attachments:** [Outlook-Linkedin L.png](#)  
[Outlook-MPG strap .png](#)  
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[410-1 PINS Letter Plan V1.1.pdf](#)  
[410-1--20240111--L1.1-Dunstable.pdf](#)

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Dear Mark,

Thank you for your letter dated 11 January 2024 about the proposed development of a new Hazardous Waste Recycling Facility.

The Planning Inspectorate does not have the power to give a legally binding interpretation on whether the proposed development would be classed as a Nationally Significant Infrastructure Project. Only the courts can ultimately determine the interpretation of legislation. It is for the developer to decide whether or not to apply for an order granting development consent, taking their own independent legal advice.

It should also be noted that the Planning Inspectorate, on behalf of the Secretary of State, is only able to decide whether development consent is required for a project, under section 55 of the Planning Act 2008 (PA 2008), once an application has been formally submitted.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

Yours sincerely,  
Naoual

National Infrastructure Team  
The Planning Inspectorate

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**From:** Mark Smedley [REDACTED] <[REDACTED]@mpgyorks.co.uk>  
**Sent:** 12 January 2024 08:35  
**To:** NI Enquiries <NIEnquiries@planninginspectorate.gov.uk>; enquiries@infrastructure.gsi.gov.uk  
**Cc:** Jessica Morgan-Smith [REDACTED] <[REDACTED]@mpgyorks.co.uk>  
**Subject:** Pre-Application Advice - Dunstable

You don't often get email from [REDACTED] <[REDACTED]@mpgyorks.co.uk> [REDACTED]

## Important:

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[Note that the email you are viewing defaults to displaying your @planninginspectorate address despite being sent to your old @pins.gsi.gov.uk or @infrastructure.gsi.gov.uk email address!]

Please refer to the PINS Intranet news item (safe link below) for more information about the Retiring of GSI Email Addresses

<https://intranet.planninginspectorate.gov.uk/news/retiring-gsi-email-addresses/>

Dear Sir / Madam,

Please find attached a letter and associated plan for a proposed development at Dunstable. Please could you indicate an anticipated response time?

Kind regards,

Mark

Mark Smedley



Senior Minerals, Waste and Environmental  
Consultant

—

[Redacted]

MPG Offices:

[Redacted]

Cottingley Business Park, Bingley,

[Redacted]

and

Broughton Hall Estate, Skipton

MPG strap line banner





Minerals  
Waste  
Environment

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Your ref:

Our ref: 410/1--20230111-L1.1\_Dunstable

The Planning Inspectorate

*Sent by email*

11th January 2024

Dear Sir / Madam,

**RE: PROPOSED HAZARDOUS WASTE FACILITY - DUNSTABLE**

We are writing to you regarding a proposed development of a new Hazardous Waste Recycling Facility at French's Avenue, Dunstable, LU16 1BH ('The Site'). Section 30 of the Planning Act 2008 and the National Policy Statement for Hazardous Waste (2013) states that a scheme processing more than 30,000 tonnes per annum, as per this proposal, of Hazardous Waste would be classed as a Nationally Significant Infrastructure Project (NSIP). A summary of the proposals is provided below.

The Facility will deal predominantly with soils that may contain contaminants such as hydrocarbons, metals, elevated PH, or asbestos (incidental volumes contained within larger volumes of soils, and not large volumes of asbestos in isolation). The facility will also deal with coal tar impacted asphalt (within soils or on its own), dredgings and ashes. It will produce recycled soil materials, involving the placement of a mobile washing/bioremediation plant to enable the recovery of recycled soils for sale and export.

The key components of the proposed development can be summarised as the following:

- Hazardous Waste Recycling Facility (HWRF) – 150,000 tonnes per annum
- Office / Welfare building;

- Surface water collection sump;
- Perimeter security fence; and
- Vehicle entrance and exit.

It is important to note that **not all wastes processed would be classified as hazardous**. The facility would have the appropriate capabilities and Environmental Permit(s) to process such wastes. However, a significant proportion of the wastes processed are unlikely to be hazardous.

The operations will involve waste being transported to the site, via the existing entrance (off French's Avenue) and delivered to the waste reception area, then taken to the proposed Waste Recycling facility. The Site will accommodate the operation of a front-end loader which will allow site operatives onsite to easily transfer the waste materials from the waste reception area to the waste transfer facility. Suitable plant will also assist with transferring the waste to outgoing vehicles to transport the waste.

The recycled soils/material (end product) will be stockpiled in the main plant/processing area to await onward distribution by road. Residual waste material is also stored within the main plant processing area and will be transported to a suitably licensed facility.

We consider that this development cannot be considered 'Nationally Significant', and that the purpose of the thresholds and legislation are to capture large-scale projects (The Site measures only 0.5ha) that serve a National Purpose, which this scheme does not. The Site would realistically only serve a local radius as other similar facilities are available in neighbouring areas and regions to deal with similar waste streams. Additionally, it is considered that an NSIP for hazardous waste would ordinarily deal with 'difficult' waste streams, that are not simple to process and require large capacity facilities to make them economically viable. This is not the case for the proposed development.

The Site itself would deal with predominantly soils from local / regional construction and demolition projects. As stated, the majority of these soils are unlikely to be classified as hazardous in any event.

As a result of the above, we are formally requesting confirmation that this development should not be determined as an NSIP and that instead, a Pre-application request and subsequent Planning Application



is submitted to and considered by the local Waste Planning Authority, namely Central Bedfordshire Council.


Yours sincerely,

for THE MINERAL PLANNING GROUP LTD.

**MARK SMEDLEY**  
**SENIOR MINERALS, WASTE AND ENVIRONMENTAL CONSULTANT**

**Drawing Title:**  
Site Location Plan

Key:

 Proposed site boundary

Notes:

Drawn by:	MS
Checked by:	JMS
Approved by:	JMS

**The Mineral Planning Group Ltd.**  
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Cottlingley Business Park  
Bingley, West Yorkshire  
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Tel: 01274 884599  
headoffice@mpgyorks.co.uk  
www.mpgyorks.co.uk



Scale:  
1:2,000 @ A3

Client:  
Bulk Transfer Ltd.

Site:  
Dunstable

Drawing Number: 410/1 - Pre-App-1	Rev: 1.1
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Date:  
12/01/2024

