

**From:** LUP enquiries

**Sent:** 23 June 2026 10:23

**To:** Planning

**Subject:** Re: NPTCBC Planning Consultation - P2026/0410 Abernant Colliery Pontardawe

Dear Sir/Madam,

Thank you for your EIA screening opinion request for any comments regarding P2026/0410 dated 22 June 2026 for a proposed biomass gasification Combined Heat and Power (CHP) waste-to-hydrogen production facility proposed at Abernant Colliery Pontardawe SA8 4SX.

Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, Regulation 4(3)(b) –

the vulnerability of the proposed development to major accidents relevant to the development

- HSE's response is limited to our role in the land use planning system on the control of major industrial hazards involving hazardous substances.
- HSE is not responding in our regulatory role in the health and safety system

1. From the information provided it is not clear whether the development will store or process hazardous substances in quantities relevant to the potential for industrial major accidents with respect to *The Planning (Hazardous Substances) (Wales) Regulations 2015* and The Control of Major Accident Hazard (COMAH) regulations 2015. Such major accidents are of low likelihood but could have significant effects on the population at the proposed development and on local populations.

The applicant should consider whether they need to apply for planning consent for the presence of hazardous substances under The Planning (Hazardous Substances) Regulations 2015.

If planning consent for hazardous substances is required, HSE is a statutory consultee for such planning consent applications. The assessment done by HSE is complex and underpins HSE's statutory advice to the planning authority. It is aimed at mitigating the effects of a major accident on the population around a major hazard site. Applicants should allow for 6-12 months to obtain a hazardous substances consent. In July 2012, as part of the government's response to the Penfold Review, HSE agreed to deliver its statutory advice within 13 to 26 weeks rather than the 21-28 days set out in legislation. This reflects the detailed assessment work needed and HSE continues to work to those agreed timeframes. HSE has introduced a queuing system where applications are dealt with on a first come first served basis.

If an application is required, applicants can be directed to

<https://www.hse.gov.uk/landuseplanning/application-forms-hazardous-consent.htm>

for help with putting the information relevant to HSE into a form format.

Planning Authorities can consult HSE at this email address [HazSubCon.cemhd5@hse.gov.uk](mailto:HazSubCon.cemhd5@hse.gov.uk)

HSE's web app has no facility to consider consent for hazardous substances.

If consulted on planning consent for hazardous substances, HSE considers the compatibility of representative major accidents at the proposed development (from HSE's assessment of the hazardous substances planning application) with existing development in the vicinity.

For example, in general, what would be of concern to HSE in the vicinity of a hazardous

substances site proposal are: sensitive developments (hospitals, care homes, schools); dwelling units if close by or many; large populations of the general public.

If an application for hazardous substances consent is required, the compatibility with existing development in the vicinity should be considered by the applicant.

If hazardous substances planning consent is granted, early notification by the developer to HSE under the COMAH regulations will most likely be required, depending on the specific circumstances.

2. The development is not located within a safeguarding zone of an Explosives site licensed under the Explosives regulations 2014 or the Dangerous goods in harbour area regulations 2016.

3. The development is not located within HSE's land-use-planning consultation zones for major-accident-hazard pipelines and hazardous substances consented sites (licensed explosives sites are covered in the previous paragraph).

4. If there is a major accident hazard establishment with no HSE consultation zones, in the vicinity of the proposed development, and you are concerned that the proposed development might increase the risk or consequences of a major accident at the existing establishment then please directly consult the operator of the establishment, as appropriate.

5. General health and safety at work

HSE realises that Environmental Risk Assessments are not expected to include general health and safety at work however we take this opportunity to point out that it may be beneficial for employer(s) to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet requirements of relevant health and safety legislation as the project progresses.

HSE's Land Use Planning Support Team

Health and Safety Executive | Chemicals, Explosives and Microbiological Division 5

[lupenquiries@hse.gov.uk](mailto:lupenquiries@hse.gov.uk)



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HSE AND PLACES**

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