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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE)(WALES) ORDER 2012

APPROVAL OF FULL PLANNING PERMISSION

Name and address of the applicant

Neath Port Talbot Council
The Quays
Brunel Way
Baglan Energy Park
Neath
SA11 2GG
United Kingdom

Name and address of the agent

Miss Emma Harding
Asbri Planning Ltd.
Unit 9
Oak Tree Court
Cardiff Gate Business Park
Cardiff
CF23 8RS
United Kingdom

DATE REGISTERED: 18 June 2020

APPLICATION NO: P2020/0538

LOCATION: Land Adjacent To Technium Centre, Central Avenue, Baglan Bay
Energy Park, SA12 7AX

PROPOSAL: Construction of Technology Centre, parking, landscaping and
associated works

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority
in pursuance of its power under the above mentioned Act and Order hereby **GRANTS
PLANNING PERMISSION** for the development as described above to be carried out in
accordance with the application and the plans submitted therewith, subject to compliance
with the following conditions:

Conditions:-

Time Limit Conditions

- 1 The development hereby permitted shall be begun before the expiration of five years
from the date of this permission.
Reason
To comply with the requirements of Section 91 of the Town and Country Planning
Act 1990.

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List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:

Site Location Plan - 26X003-IBI-ZZ-XX-DR-A-10-0002 P02 Site Plan 26X003-URB-XX-XX-DR-L-90-0002-P07 (003)

Landscape Masterplan - 26X003-URB-XX-XX-DR-L-90-0001 P07

Sitewide Landscape Masterplan - 26X003-URB-XX-XX-DR-L-90-0002 P07

Soft Landscape Plan 1 of 3 - 26X003-URB-XX-XX-DR-L-90-0005 P07

Soft Landscape Plan 2 of 3 - 26X003-URB-XX-XX-DR-L-90-0006 P07

Soft Landscape Plan 3 of 3 - 26X003-URB-XX-XX-DR-L-90-0007 P067

Master Plant Schedule - 26X003-URB-XX-XX-SH-L-90-0008 P04

Tree Retention/ Removal Plan 1 of 3 - 26X003-URB-XX-XX-DR-L-90-0010 P07

Tree Retention/ Removal Plan 2 of 3 - 26X003-URB-XX-XX-DR-L-90-0011 P07

Tree Retention/ Removal Plan 3 of 3 - 26X003-URB-XX-XX-DR-L-90-0012 P07

Tree Pit Detail - 26X003-URB-XX_XX-DR-L-90-0015 P02

Tree Pit Plan

26X003-URB-XX_XX-DR-L-90-0016 P04 - Hard Landscape Plan 1 of 2

26X003-URB-XX_XX-DR-L-90-0020 P03 - Hard Landscape Plan 2 of 2

26X003-URB-XX_XX-DR-L-90-0021 P03 - Hard Surface Details

26X003-URB-XX_XX-DR-L-90-0022 P03 - Edging Plan

26X003-URB-XX_XX-DR-L-90-0023 P02 - Street Furniture Plan

26X003-URB-XX_XX-DR-L-90-0025 P03 - Street Furniture Details

26X003-URB-XX_XX-DR-L-90-0026 P03 - Fencing Plan

26X003-URB-XX_XX-DR-L-90-0030 P03 - Ecology Plan

26X003-URB-XX_XX-DR-L-90-0035 P03 - Elevations Sheet 1

26X003-IBI-ZZ-EL-DR-A-25-0505 P02 - Elevations Sheet 2

26X003-IBI-ZZ-EL-DR-A-25-0506 P02 - Bin Enclosure Plan

26X003-IBI-ZZ-XX-DR-A-25-0503 P02 - Plant Enclosure Plan

26X003-IBI-XX-DR-A-25-0511 P02 - Existing Innovation Centre Condenser Plan -

26X003-IBI-XX-DR-A-25-0512 P02

Site Section - 26X003-IBI-ZZ-SE-DR-A-25-0513 P02

Sections Sheet 1 - 26X003-IBI-ZZ-SE-DR-A-25-0507 P02

Sections Sheet 2 - 26X003-IBI-ZZ-SE-DR-A-25-0508 P02

Ground Floor Plan - 26X003-IBI-ZZ-00-DR-A-25-0500 P02

First Floor Plan - 26X003-IBI-ZZ-01-DR-A-25-0501 P02

Second Floor Plan - 26X003-IBI-ZZ-02-DR-A-25-0502 P02

Roof Plan - 26X003-IBI-ZZ-RF-DR-A-25-0504 P02

Engineering Sections - 26X000-HYD-XX-XX-DR-C-90-0212

Engineering Plan - 26X000-HYD-XX-XX-DR-C-90-0500 P02

Drainage Plan - 26X000-HYD-XX-XX-DR-C-90-0600 P03

External Lighting Plan - 26X000-HYD-01-00-DR-E-63-0010 P04

Vision Splay Plan - 26X003-HYD-XX-XX-DR-C-90-2300

Design and Access Statement Rev 2 - IBI

Planning Statement

PAC Report and Appendices

Construction Method Statement/ Project Execution Plan (Includes Pollution Prevention Plan and Piling Method Statement)

Phasing Plan

Site Waste Management Plan

Ground Conditions Desk Study

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Geotechnical and Geo-environmental Report
Detailed Gas Risk Assessment
Flood Consequences Assessment
Baseline Noise Survey
Phase 1 Ecology Report
Addendum to Phase 1 Ecology Report
Tree Survey
Energy Assessment
Transport Assessment
Travel Plan

Reason
In the interest of clarity.

Pre-Commencement Conditions

- 3 Prior to any development commencing on site, the developer must do the following:-
 - a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
 - b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:
To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.
- 4 Prior to the commencement of work on site, notwithstanding the submitted information, a scheme to assess the nature and extent of any contamination shall be submitted to and agreed in writing with the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2012) and shall be submitted as a written report which shall include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - o human health,
 - o ground waters and surface waters
 - o adjoining land,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o ecological systems,
 - o archaeological sites and ancient monuments;

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(iii) an appraisal of remedial options, and proposal of the preferred remedial option(s).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 5 No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and agreed in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan

Action Conditions

- 6 Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in accordance with condition 5 shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 7 Prior to their use in the construction of the development hereby permitted, details and/or samples of the materials to be used in the construction of the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

In the interest of the visual amenity of the area and to ensure the development complies with Policy BE1 of the Neath Port Talbot Local Development Plan.

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- 8 No building shall be occupied until the foul drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

- 9 The landscaping works shall be carried out in accordance with the approved details during the first planting and seeding seasons immediately following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 10 Prior to first beneficial use, a Landscape Management Plan, including management responsibilities and maintenance, for all landscaped areas shall have been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented and adhered to in accordance with the approved details thereafter.

Reason:

In the interest of visual amenity, and to ensure the long term management and maintenance of all landscaped areas that lie outside of the curtilage of individual properties, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 11 All retained trees that may be directly affected by the proposed development, including encroachment into Root Protection Areas, shall be adequately protected as detailed in the Arboricultural Report by ArbTS. The erection of fencing for the protection of any retained tree shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

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Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 12 The approved car parking scheme as detailed on Drg 26X003-URB-XX-XX-DR-L-90-0002-P07 (003) shall be completed and marked out prior to the first beneficial occupation of any part of the development and shall remain available for such use in perpetuity.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Neath Port Talbot Local Development Plan.

- 13 Prior to the installation of any external lighting at the site (including lighting used during the construction period) a scheme of lighting - to include location and intensity of illumination - shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter only be lit in accordance with the agreed scheme.

Reason:

In the interest of amenity and to prevent any unacceptable light spillage in the interest of biodiversity and protected species, and to accord with Policies BE2 and SP15 of the adopted Neath Port Talbot Local Development Plan.

- 14 Prior to first beneficial use of the development hereby permitted the covered cycle parking identified on Drawing No 26X003-URB-XX-XX-DR-L-90-0002-P07 (003) shall be provided and retained as such thereafter.

Reason

To ensure the promotion of sustainable means of transport.

- 15 Prior to the first beneficial use of the building the amenity area as shown on Drawing No 26X003-URB-XX-XX-DR-L-90-0002-P07 (003) shall be provided together with any required seating and privacy screening and retained as such thereafter.

Reason

To ensure provision of outdoor amenity space for employees in accordance with Policy OS1 of the Local Development Plan,

- 16 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

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Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 17 All works including the installation of 2 hibernacula and 10 artificial bird boxes shall be carried out in accordance with the Addendum to the Preliminary Ecological Assessment June 2020 and under the supervision of an Ecological Clerk of Works

Reason:

To ensure that the ecological mitigation is overseen by an appropriately competent ecologist, and to ensure the development complies with Policy EN7 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 18 All development on site shall be undertaken strictly in accordance with the Construction Environmental Management Plan and the Baseline Noise Survey Report.

Reason:

To protect the amenity of the locality, especially for people working nearby, in accordance with Policies BE1 and EN8 of the adopted Neath Port Talbot Local Development Plan.

- 19 The Travel Plan as approved shall be fully implemented so long as any part of the development is occupied.

Reason:

In the interests of promoting sustainable transport and to ensure the development complies with Policy SP20 of the Neath Port Talbot Local Development Plan.

Informatives:

1 As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Neath Port Talbot County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and

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Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposed development, represents an appropriate form of development that would have no unacceptable impact on highway and pedestrian safety, flooding, the setting of a scheduled ancient monument, foul and surface water discharges, or ecological issues. Hence, the proposed development would be in accordance with Policies SP1, SP2, SP3, SP4, SP5, SP11, SP15, SP16, SP17, SP18, SP19, SP20, SC1, I1, OS1, EC2, EC3, EC4, EN6, EN7, M1, M2, RE2, W3, TR2 and BE1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Signed:



Ceri Morris – Head of Planning & Public Protection

Date: 29 July 2020

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IMPORTANT:

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit www.npt.gov.uk/planning to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: developer.services@dwrcymru.com.

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IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-
 - (1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below) Within 6 Months
 - (2) Householder Appeal see endnote i Within 12 weeks
 - (3) Minor Commercial Appeal see endnote i Within 12 weeks
 - (4) Listed Building or Conservation Area Consent appeals Within 6 months
 - (5) Tree Preservation Order (TPO) Consent Within 28 days
 - (6) Advertisement Consent Within 8 weeks
 - (7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development Within 6 months
 - (8) Hazardous Substances Consent Within 6 months
- (5) Appeals must be made on a form which is obtainable from the Planning Inspectorate, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0303 444 5940, or online at www.planningportal.gov.uk/pcs .
- (6) The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (7) The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
- (8) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a **purchase notice** requiring that Council purchase his interest in the land

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in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Making an Appeal

- (9) Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a “**full statement of case**”). You must also send a copy of the notice of appeal and full statement of case to the LPA.
- (10) In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
- (11) Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
- (12) Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice.

THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

- BUILDING REGULATIONS – Please contact buildingcontrol@npt.gov.uk or 01639 686949 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

ⁱ Please see the [Town and Country Planning \(Referred Applications and Appeals Procedure\) \(Wales\) Regulations 2017](#) for appeal procedures and for full definitions of:

- “*householder application*” (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- “*householder appeal*” means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- “*minor commercial application*” (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.
- “*minor commercial appeal*” means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.