
Appeal Decision

Site visit made on 9 December 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th January 2026

Appeal Ref: APP/M4320/W/25/3374145

90 Station Road, Sefton, Ainsdale PR8 3HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Murphy against the decision of Sefton Metropolitan Borough Council.
 - The application Ref is DC/2025/00945.
 - The development proposed is described as the installation of a building at the front of the restaurant to provide service to external seating area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form states that the works have been completed which corresponded to my observations during my site visit. I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site forms a restaurant adjacent to Station Road. This section of the highway is characterised primarily by commercial premises at ground floor level along the northern boundary and residential along the southern. These commercial premises, inclusive of the appeal property, and dwellings opposite are set back notably from the road, giving the street scene a wide and spacious appearance, forming a defining feature of its character. Whilst there are some structures to the front of the commercial premises, these appear modest in size and not fully enclosed so as to achieve a level of visual permeance. As such these structures conserve the open character of the area.
5. The development forms a substantial rectangular building between the front of the appeal property and the pavement. It projects significantly above the adjacent low boundary wall along the highway and forms a substantial and visually intrusive form of development within the otherwise open space to the front of the commercial premises. The development is notably larger than the surrounding structures between the commercial premises and the road with all sides enclosed excluding two roller shutters offering limited visual permeance. This further enhances its prominence within the street scene and its discordance with the

much smaller surrounding structures giving it a discordant and alien appearance, harming the existing open character of the area. The use of timber effect vertical cladding and black aluminium does not offset the development's visual presence, massing and resultant harm to the character and appearance of the area.

6. The appellant references other more visually intrusive commercial additions along Station Road. Nonetheless, these do not form part of the character of the area surrounding the appeal site identified above. Further, I have been supplied with limited details of these and cannot be sure the considerations were the same as the appeal before me. Therefore, these carry limited weight in my assessment of the appeal.
7. As such, the proposal would have a harmful effect on the character and appearance of the area. Accordingly, it would conflict with the relevant provisions of Policy EQ2 of the Local Plan for Sefton 2030 (2017) which requires development to respond positively to the character, local distinctiveness, and form of their surroundings.

Other Matters

8. The appellant contends that the development acts as a beer cellar for the restaurant which does not have space to house this internally. They go on to say that the development contributes to and supports the existing restaurant business, sustains employment and contributes to economic growth. Additionally, they state that the proposal would provide a community benefit, providing a more attractive, safer, and usable environment for residents and visitors. Both economic and social objectives are supported within the National Planning Policy Framework. Nonetheless, I have been provided with limited information as to why a less harmful scheme could not achieve these objectives. As such, these carry limited weight in my assessment of the appeal and would not out weight the above identified harm.
9. Whilst I note the letters of support for the development including an online petition, this support does not justify the above identified harm.
10. I note there is disagreement regarding the ownership of land and the requirement for a pavement license. Nonetheless, this goes beyond what I can consider in the determination of the appeal.

Conclusion

11. For the reasons given above the appeal should be dismissed.

N Unwin

INSPECTOR