



Appeal Decision

Site visit made on 08 January 2026

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 February 2026

Appeal Ref: APP/V4305/W/25/3373892

Land at Okell Drive, Halewood, Liverpool L26 7AA

- 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 Mrs M Redmond of Rockbourne Day Nursery Limited against the decision of Knowsley Metropolitan Borough Council
 - The application Ref is 24/00643/FUL.
 - The development proposed is described as Erection of a Children's Day Nursery together with the Construction of a Single Vehicular Access / Egress off Okell Drive.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

3. The appeal relates to a grassed parcel of open space which is broadly triangular in shape. The parcel is of a notable size and includes a number of mature trees. The site lies adjacent to a roundabout which is also grassed and includes established trees. The rear close-board fenced boundaries of residential dwellings on Elworthy Avenue define one boundary of the site. The boundary with Church Road, beyond which is open countryside, is open. The boundary with Okell Drive is also open, while Okell Drive itself includes a significant grass verge.
4. The appeal site, together with the adjacent roundabout, provide a generally open and spacious settlement edge. The characteristics of the site enable open views towards the more prominent and intensive two-storey built form of the adjacent residential development. Therefore, the site provides an open and green setting to the housing estate acting as a soft buffer with the wider open countryside. This allows for a gradual transition between the countryside and the urban area in this location. As such, in this regard, I consider that the site has an important visual and functional role in this particular part of the settlement, while also providing a pleasant sense of arrival into the residential estate.
5. Various pieces of urban paraphernalia are present on/adjacent to the site including telecommunications apparatus, bus stop, signs and streetlighting. However, these are relatively small scale, or slimline, and do not undermine the positive visual function and characteristics of the appeal site.

6. The appeal proposes the introduction of a nursery building which would be part single-storey and part two-storey. The development would include associated access, parking and play space. The development would be set back from Okell Drive in a similar manner to existing development, while a verge would be retained adjacent to Church Road. Existing vegetation would be retained while the site boundaries would include landscaping.
7. However, the development would occupy a significant portion of the parcel of land. The siting of the proposed building would protrude significantly from the rear boundaries of Elworthy Avenue, bringing built form much closer to the countryside. This would result in a significant erosion of the open character of the site which would be to the detriment of the character and appearance of the area. The open characteristics of this site, and its function on the settlement edge, are a positive feature in the area. The development would undermine this function which would be substantially harmful to the overall character of the area.
8. I acknowledge the findings of the Landscape/Townscape & Visual Impact Appraisal¹, and I agree that there are unlikely to be any significant or adverse wider visual or landscape harms. The visual effects of the development would primarily be localised to closer views in the immediate area. However, the lack of wider visual effects does not overcome my concerns relating to the immediate visual harm arising from the development. I also have no particular concerns with regard to the appearance or elevational treatment of the building itself. However, again, the lack of design concern in this respect does not address my concerns of introducing built development on this otherwise open and spacious parcel of land.
9. I have been made aware of an earlier appeal decision for a similar development². In that appeal the Inspector concluded that *"The proposal would remove an area of informal, open, public green space that provides a significant link between the built development of the housing estate and the countryside beyond Church Road. As such, I conclude that the proposal would substantially harm the character and appearance of the area"*. I acknowledge that the appeal scheme has been amended following on from that decision. However, in my opinion the overall effects of the development would be similar and, as such, I consider that those earlier concerns to be prevailing and the effects of the development have not been addressed.
10. I also note that a Lawful Development Certificate (LDC) for the site has been issued which is a material consideration³. This establishes that a 2m high fence could be erected around the site. The plan accompanying the certificate shows that a fence could be erected in a location which would have greater coverage across the site than the appeal proposal.
11. I accept that the installation of a close-board fence, or similar, could alter the existing character of the site. However, the appeal scheme includes the construction of a building which, in part, would be two-storeys in scale and would erode the open character of the site in a more significant manner than a fence would. Therefore, I do not consider that the nature and scale of the fence to be directly comparable to the appeal scheme. In addition, it appears as though much

¹ Prepared by TPM Landscape Ltd, dated August 2025

² 3301426

³ Ref: 25/00178/CLD, dated 14 July 2025

(if not all) of that fencing could be erected independently of the appeal development. If both were carried out, this would give rise to cumulative visual effects at the site. Therefore, the existence of the LDC does not alter my overall findings on the effects of the development.

12. For the above reasons, the development would have a harmful effect on the character and appearance of the surrounding area. Therefore, the development conflicts with Policies CS2, CS19 and CS21 of the Knowsley Local Plan: Core Strategy (2016) and Saved Policy H5 of the Knowsley Replacement Unitary Development Plan (2006). Together, amongst other things, these seek to deliver quality design which enhances and respects local character and distinctiveness, while resisting the loss of urban greenspace where the development would significantly harm visual amenity.

Other Matters

13. I note that the development may meet some future need for nursery spaces due to level of housing development in the area. The development would also offer a greater choice of nursery spaces for residents in the area. These would be benefits arising from the development, albeit in the absence of an established and identified need, only attracts limited weight in favour of the development. Therefore, such benefits are not so compelling to outweigh the permanent harm that would arise to the character and appearance of the area.

Conclusion

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

D Cleary

INSPECTOR