



Appeal Decision

Site visit made on 10 November 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21ST November 2025

Appeal Ref: APP/K0425/W/25/3372654

The Happy Union, 265 Boundary Road, Loudwater, Buckinghamshire HP10 9QN

- 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 Veinard Investments against the decision of Buckinghamshire Council .
 - The application Ref is 24/07009/FUL.
 - The development proposed is change of use of existing public house with internal and external alterations, including conversion of roof space to form a 16-bed house in multiple occupation (HMO) (Sui Generis)
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Decision

1. The appeal is allowed and planning permission is granted for change of use of existing public house with internal and external alterations, including conversion of roof space to form a 16-bed house in multiple occupation (HMO) (sui generis) at The Happy Union, 265 Boundary Road, Loudwater, Buckinghamshire HP10 9QN in accordance with the terms of the application, Ref 24/07009/FUL, subject to the conditions in the attached schedule.

Costs applications

2. An application for costs was made against Buckinghamshire Council by Veinard Investments. This application is the subject of a separate decision.

Main Issues

3. The main issues are:
 - the effect of the proposal on the living conditions of the occupiers of nearby properties with particular regard to parking stress; and
 - whether the proposal provides an acceptable living environment for future occupiers with particular regard to amenity space provision and room sizes.

Reasons

Parking stress

4. The site comprises The Happy Union, a vacant public house occupying a corner plot at the junction of Boundary Road and Treadaway Hill in a predominantly residential area. To the side of the building is a car park which is accessed from Boundary Road. There are parking restrictions in place on the eastern side of Boundary Road and driveways to the properties on the western side of Boundary Road restrict the capacity for on-street parking on the western side of the road.

5. The proposal seeks to change the use of the public house to a 16-bedroom House in Multiple Occupation (HMO). 13 car parking spaces and cycle storage for 20 bicycles are proposed. The Council states that one car parking space per bedroom would be required, in addition to 20% unallocated spaces for visitors, generating a requirement for 19 car parking spaces. The development therefore results in a shortfall of 6 car parking spaces which would be displaced onto the surrounding highway network. At my weekday afternoon site visit I observed that there was limited parking capacity on Boundary Road and nearby streets. Nonetheless, the Council's highways officer comments that the existing public house has a shortfall of 8 car parking spaces and thus the proposal would result in a net reduction in the number of cars displaced to the surrounding highway network when compared to the consented use. Given this, there is no evidence that the proposal would displace more parked cars to the surrounding roads or cause further nuisance or inconvenience to other highway users.
6. Additionally, the site is in an accessible location in relation to shops and other facilities and is within walking distance of the nearest bus stop. Provision for cycle storage would further encourage sustainable modes of travel. Given this, future occupants of the HMO have a range of transport modes available to them, and they would not necessarily have to rely on a car for day-to-day requirements. This would likely lessen reliance on the private car and so therefore car parking.
7. In light of the above I conclude that the proposal would not harm the living conditions of the occupiers of nearby properties through parking stress. I therefore find no conflict with policies DM33 and DM35 of the Wycombe District Local Plan (2019)(LP) which seek to ensure that proposals provide parking sufficient to meet the needs of future occupants and prevent significant adverse impacts on the amenities of neighbouring land and property.

Living environment

8. LP policy DM23 requires that HMOs secure an acceptable number and arrangement of communal facilities within the building. The supporting text references communal facilities as 'lounges, kitchens and other common rooms' and states that the Council will expect a ratio of one common room to every 3 bedrooms, clarifying that the proposed number of bedrooms will be rounded up or down to the nearest multiple of 3. The supporting text goes on to state that large scale HMOs will generally be unacceptable in areas of predominantly family housing unless they are designed to create smaller groups of bedrooms with domestically scaled facilities dispersed around the development.
9. Occupiers of the HMO would be provided with 6 common rooms over 2 floors. This would comprise smaller common rooms and kitchens dispersed throughout the building and would accord with the quantity of communal facilities required by LP policy DM23. All rooms would meet the minimum room dimensions set down in the Nationally Described Space Standards. Whilst the proposal does not make any provision for private amenity space, the site is located close to an area of public amenity space in which some of the needs of future occupiers can be met. Furthermore, the provision of private amenity space in HMOs is not a development plan requirement. Given this, there is no evidence that specific on-site amenity space is required for this proposal or that the lack of provision of external amenity space would fail to create an acceptable standard of accommodation for future occupiers.

10. In light of the above I find that the proposal would provide an acceptable living environment for future occupiers. I therefore find no conflict with LP policies DM23 and DM35 which seek to ensure that developments for HMOs secure high quality design and an acceptable number and arrangement of communal facilities within the building and create positive and attractive buildings and spaces.

Other Matters

11. The evidence before me indicates that the proposal would result in a significant reduction in trip generation when compared to the existing public house and a net reduction in car parking displaced to the surrounding highway network. Given this, there is no compelling evidence before me that the proposal would compromise highway safety or result in increased traffic on the highway network.
12. The existing public house is considered to be a community facility. LP policy DM29 requires that community facilities should be retained unless it has been evidenced that it is surplus to community needs. The Council comment that a Community Needs Assessment submitted in relation to a previous application at the site demonstrated that there was no existing deficit of community facilities within the area and the Council continues to accept that the loss of the community facility is acceptable. Based on the information before me I see no reason to conclude otherwise.
13. There is no compelling evidence before me that occurrences of anti-social behaviour and crime, which are ultimately a matter for the relevant authorities in specific instances, would be attributed to occupants of the HMO or why the future occupiers would be a contributory factor to fear of crime.
14. Concerns regarding the capacity of local infrastructure to accommodate the future occupiers are noted. However, there is no indication from the Council that this development would have an unmanageable effect on existing infrastructure or that the proposal would have an unacceptable impact on community balance.
15. Interested parties raise concerns regarding the effect of the proposal on the living conditions of the occupiers of neighbouring properties. The Council concluded that the proposal would not result in a loss of light to or additional overlooking of neighbouring properties and that it is expected that the HMO would generate lower noise levels than the public house and thus would cause less noise and disturbance to the occupiers of nearby properties. Based on the evidence before me I see no reason to reach a different view.
16. The proposal would result in the repair and reuse of a vacant building and the Council commented that the proposed landscaping would enhance the existing appearance of the site and the street scene. Based on the evidence before me I have been presented with no compelling reasons to conclude otherwise.
17. Preferences for the site to be developed for alternative uses are noted. However, I am tasked with determining the appeal before me and for the reasons set out above, I have found the proposed use to be acceptable.
18. Comments regarding the effect of the proposal on house prices are noted. It is a long-standing principle of the planning system that it does not operate to protect the personal/financial interests of property owners. I therefore afford this matter no weight in the determination of this appeal.

Conditions

19. I have had regard to the conditions suggested by the Council, on which the appellant has had the opportunity to comment. Where necessary I have made revisions to some of the conditions put to me to ensure that they meet the tests in the National Planning Policy Framework and Planning Practice Guidance, without altering their fundamental aims.
20. Planning permission is granted subject to the standard 3 year time limit condition for implementation. In addition, it is necessary to specify the approved plans in the interest of certainty. In the interest of the character and appearance of the appeal property and the surrounding area, conditions are necessary to control the external materials of the development and landscaping. A condition relating to the maximum occupancy of the property is necessary in the interests of amenity and living conditions. In the interests of biodiversity, a condition requiring compliance with specified ecological surveys is necessary.
21. In the interests of highway safety, a condition requiring the provision of the approved car parking is required. I have imposed a condition that secures the cycle and bin storage to ensure that provision is made to encourage the use of sustainable modes of travel and suitable refuse and recycling arrangements for future residents. A condition relating to the implementation of water efficiency measures is necessary in order to ensure compliance with the relevant development plan policies and to contribute to the provision of sustainable development.
22. A condition relating to internal amenity noise levels is necessary in the interests of the living conditions of future occupiers. A condition relating to surface water drainage is necessary to ensure that the development is served by sustainable arrangements for the disposal of surface water.

Conclusion

23. For the reasons given above the appeal should be allowed.

N Robinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1.) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2.) The development hereby permitted shall be built in accordance with the following approved plans: FBRW-PL-100; FBRW-PL-200A; FBRW-PL-301A; FBRW-PL-400A; FBRW-PL-401; FBRW-PL-402A; FBRW-PL-403A, SHUW-PL-500A and SHUW-PL-900A.
- 3.) The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building or as otherwise specified in the application details.

4.) The scheme for parking and manoeuvring shown on drawing SHUW-PL-900A shall be laid out prior to the first occupation of the development hereby permitted and that area shall not thereafter be used for any other purpose.

5.) The development hereby permitted shall be occupied by a maximum of 16 residents at any one time.

6.) All planting, seeding or turfing comprised in the approved details of landscaping as specified on drawing number SHUW-PL-900A shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development, whichever is the sooner. Any trees, plants or areas of turfing or seeding which, within a period of 3 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.

7.) The approved cycle and bin storage facilities illustrated on drawings FBRW-PL-100 and SHUW-PL-900A shall be provided prior to the first occupation of the development hereby approved and thereafter the facilities shall be permanently retained.

8.) 1(a) Prior to the commencement of the development hereby approved, a scheme to demonstrate that the internal amenity noise levels are suitable for residential use shall be submitted to and approved in writing by the Local Planning Authority. The scheme should consider:

- i. structure and airborne sound and vibration from internal and external sources
- ii. overheating and ventilation requirements;
- iii. mitigation measures; and
- iv. impact on external and internal noise amenity level of nearby sensitive receptors.

1(b) No part of the development shall be occupied until verification has been submitted to and approved by the Local Planning Authority evidencing that development was carried out in accordance with the approved scheme in 1(a).

1(c) The requirements authorised by 1(a) above shall be retained, operated and maintained in accordance with the agreed scheme in perpetuity

9.) The development, hereby approved, shall be undertaken in accordance with the precautionary measures, lighting scheme and mitigation measures specified in the Preliminary Ecological assessment (Arbtech June 2024) and the Bat Emergence and Re-Entry Surveys (Arbtech, September 2024).

10.) The development hereby approved shall be constructed to meet as a minimum a water efficiency limit of 110 litres/person/day under Part G of the Building Regulations.

11.) The development hereby approved shall not be first occupied until a capacity and condition report has been submitted to and approved in writing by the Local Planning Authority to demonstrate that the existing surface water drainage network can provide suitable drainage to serve the site.

The capacity and condition assessment report shall provide details of a viable alternative method of surface water management, demonstrating compliance with the drainage hierarchy, should it be discovered that the existing network is unable to be suitably restored.

The assessment report shall include detail of a maintenance schedule to ensure that the surface water drainage system will be adequately maintained for the lifetime of the development to ensure conveyance of flow. The development shall be maintained in accordance with the approved details.

END OF SCHEDULE OF CONDITIONS