

Planning Committee Report

Chair: Cllr Suzanne Sanders

Date	18 November 2025
Case Officer	Artur Gugula
Location	Harewood 17 Torquay Road Kingskerswell Devon TQ12 5HH
Proposal	Change of use of existing property from Airbnb guest house to a House of Multiple Occupation (HMO)
Applicant	Mr C Trowell
Ward	Kerswell-with-Combe
Member(s)	Cllr John Radford, Cllr Jane Taylor
Reference	25/01206/FUL



[Online Details and Documents](#)

RECOMMENDATION: PERMISSION GRANTED

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1. REASON FOR REPORT

This has been called in by the Ward Member / Parish Council for the following reasons:

- Inadequate parking facilities.
- Overcrowding.
- Overlooking of neighbours.
- Noise and nuisance.
- Insufficient amenity within property – shared space.
- Insufficient external space.
- No details of commercial waste disposal facility.

2. RECOMMENDATION

2.1. PLANNING PERMISSION be granted subject to the following conditions:

1. The development hereby permitted shall begin before the expiry of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the application form and the following approved plans/documents:

Date Received	Drawing/reference number	Description
16 Jul 2025	04	Proposed Ground Floor Plan
16 Jul 2025	05	Proposed First Floor Plan
16 Jul 2025	06	Proposed Elevations
16 Jul 2025	07	Block Plan
16 Jul 2025	08	Location Plan
24 Oct 2025	2050 17	Parking Space Layout

REASON: In order to ensure compliance with the approved drawings.

3. Prior to the commencement of the hereby approved use a Maintenance and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following details:
 - a. Details of maintenance of the fabric of the building;
 - b. Details of maintenance of all external areas;
 - c. Details of maintenance of the building's furnishings;
 - d. Details of procedures to address disturbance complaints.

The development shall thereafter be carried out and operated in accordance with the approved plan.

REASON: In the interest of ensuring that the property is appropriately managed and maintained for the visual and residential amenity of the area.

3. DESCRIPTION

Planning history

- 3.1. None of direct relevance.

The site

- 3.2. The application site is located within the southern part of Kingskerswell on Torquay Road - the main route through the settlement.
- 3.3. The plot accommodates a large detached, double fronted, 2-storey, 5-bedroom residential property. Formerly a guesthouse, but more recently an Airbnb property rented out as whole for short stays – this use ceased in September 2025.
- 3.4. The formal use of the property is considered to be C3 (dwellinghouse).
- 3.5. The property has a generous curtilage with a large, tarmacked parking area to the front accessed directly from Torquay Road.
- 3.6. To the south of the property a mobile home is present which has been used ancillary to the existing use of the property.
- 3.7. A generous hard landscaped amenity area is present at the rear. To the north of the property towards the rear is an existing double garage.

The proposal

- 3.8. The proposal seeks permission for the conversion of the property into a 7-bedroom House in Multiple Occupation (HMO) for provision of temporary accommodation for homeless households.
- 3.9. This is a TDC application where the Council has entered a conditional contract to purchase Harewood House, subject to planning. It is intended that the property would be managed by the Council thereafter.
- 3.10. The proposal is part of a wider objective to eliminate the use of Bed and Breakfast accommodation for homeless families with dependent children, and to offer good quality temporary accommodation with support to assist them within the district. It would be predominantly for families with children. Households with family members that are pregnant, elderly or have mobility issues may also be considered suitable for the accommodation. No household will be specifically excluded, as each would be assessed and suitability for the property would be determined based on their specific circumstances. Households placed in this accommodation will be assessed as needing low support and of low risk to others. There will be support workers on site and staff from TDC managing the property during normal office hours.

- 3.11. On the ground floor a large kitchen / dining area would be located together with two bedrooms. The small flat roof extension would accommodate a pram store. At the first floor the remaining five bedrooms would be accommodated. Each room would be served by an en-suite, an additional communal bathroom and a toilet would also be present. There would be very limited changes required to accommodate the conversion, and these include the following:
- Converting two living rooms at ground floor level to en-suite bedrooms, one of which will be wheelchair accessible (to Part M Building Regulations)
 - Blocking up the internal opening to the single storey side addition and converting this space to externally accessed pram and cycle storage
 - Extending bedrooms 3 and 4 by removing the sauna room at first floor level and constructing a new dividing partition
 - Providing a new, shared bathroom on the first floor.
- 3.12. The external changes would be limited to:
- Providing level access to the property
 - New external openings to the side addition
 - Changing the window screen at first floor level where the sauna room has been removed
 - New drainage connections and an inspection chamber.
- 3.13. The rear garden amenity space is intended to be provided to future occupants on a communal basis.
- 3.14. The existing detached garage is proposed for storage and laundry as appropriate service connections already exist. The existing mobile home would be retained and would only be used for ancillary purposes by TDC staff such as administrative functions related to the operation of the accommodation, as well as for the storage of supplies such as cleaning materials, bedding and other items required for the management of the property. It is confirmed that the mobile home would not be used for sleeping accommodation.
- 3.15. A total of six parking spaces would be provided at the front and side of the property. Five of the spaces would be allocated to the occupiers and one allocated for TDC staff.

- 3.16. In consultation with the TDC Private Sector Housing Team the maximum occupancy of the HMO would be 17 people. Whilst the property would not be subject to an HMO license, it is confirmed that the necessary standards for a licensed property would be followed. The schedule of accommodation would be as follows:

Bedroom Number	Bedroom size (square metres)	Maximum occupancy (persons)
1	19.3	3
2	21.3	3
3	18.9	4
4	19.0	4
5	12.0	1
6	11.7	1
7	12.6	1
Total maximum occupancy		17

- 3.17. Part X of the Housing Act 1985 has been used to determine the maximum occupancy of the HMO, and as to avoid statutory overcrowding.

Principle of the development

- 3.18. The application site is located within the defined settlement limits of Kingskerswell where provisions of policies S21A of the Teignbridge Local Plan and GP3 of the emerging Teignbridge Local Plan are supportive in principle of all types of development. This includes residential uses such as HMOs, providing that all other relevant policies are complied with. On that basis the principle of development is considered acceptable.

Balanced community

- 3.19. Concerns have been raised by third parties regarding the appropriateness of this type of residential use within the area. It is acknowledged that a concentration of HMOs in one area could result in an imbalance within the community. Currently there is no evidence to demonstrate that there is an over concentration of such uses in Kingskerswell or within the immediate area. In addition, the Council has not imposed any Article 4 Directions which would prevent changes of use to small HMOs. The current and emerging Local Plans also do not include any specific policies which would preclude such development from coming forward.
- 3.20. Bearing the above in mind, the mere nature of the development as a large HMO in this area would not be justifiable as a reason for refusal and thus is acceptable in respect of impact on the balance of the community.

Impact upon the character and visual amenity of the area

- 3.21. The scheme presents minimal external changes to the building and the garden/curtilage area. Therefore, there would be no impact on the character and visual amenity of the street scene and the area.

Impact on heritage assets

- 3.22. Concerns have been raised by third parties in respect of the impact of the proposal on the Conservation Area and Listed Buildings. Physical works to the building are minimal, thus its visual appearance would not change in a significant manner. The site is not within a Conservation Area which is located approximately 900m to the northwest. The nearest listed building is located approximately 500m to the north. Thus, due to the separation distances the proposal would not have any impact on designated heritage assets.

Impact on residential amenities surrounding properties

- 3.23. There are no new extensions or alterations other than the minor changes to the fenestration at the front first floor. As such it is considered that direct impact on adjacent residential amenity in respect of privacy and overbearing would be acceptable.
- 3.24. It is acknowledged that a number of third-party comments raise concerns regarding the intensity of the use and the potential noise disturbance caused to the neighbouring occupiers. Officers note that a large HMO can indeed lead to increased levels of noise disturbance due to occupiers of the property often living independent lifestyles to each other, and thus the numbers of comings and goings being increased. Policies S1 of the Teignbridge Local Plan, and GP1 and H12 of the emerging Teignbridge Local Plan seek for residential amenity and specifically impacts of noise and disturbance from increased activity to be considered.
- 3.25. The existing use as an Airbnb must be taken into consideration, where likely disturbance levels are elevated due to more frequent comings and goings, and due to the temporary accommodation nature of the proposed use the comings and goings would likely further elevate potential disturbance. However, the spatial context of the site must also be considered. The property is located on the main road through the settlement where likely disturbance from traffic is already elevated.
- 3.26. The property will be operated and managed by TDC. The applicant has set out that instances of increased anti-social behaviour and/or disturbance can be reported to the Council, these would then be assessed and dealt with accordingly. In order to ensure that the property is managed to a high standard it is appropriate to impose a Management Plan condition which would set out how the property will be managed, including procedures for dealing with disturbance.
- 3.27. The Council's Environmental Health Officer has raised no objections to the proposal. As such, subject to the recommended condition, it is considered that the development would not adversely impact the residential amenity of neighbouring properties.

Impact on amenity of future occupiers

- 3.28. Consideration has been given to the quality of accommodation and residential amenities which would be experienced by the future occupiers of the building. Each of the rooms is generous in size and the occupancy levels are clearly set out within the application submission. Each room would be served by at least one good sized window proportionate to the size of the room. The occupancy levels accord with the provisions of Part X of the Housing Act 1985 as to avoid overcrowding. The Council's Housing Officer has also raised no concerns. It is indeed noted that the overall occupancy level is somewhat higher than that expected from a property this size, however the temporary nature of the accommodation and its purpose to tackle homelessness renders the proposed numbers acceptable.
- 3.29. The HMO would be served by a large kitchen/diner which can be used as a shared space for the occupiers. The rear garden also provides a good external amenity space for the occupiers of the property.
- 3.30. On the above basis the proposal is considered acceptable in respect residential amenity of future occupiers in compliance with policy S1 of the Teignbridge Local Plan, and policies GP1 and H12 of the emerging Teignbridge Local Plan.

Impact on ecology/biodiversity

- 3.31. The proposed physical works to the building are minimal and would not affect any habitats, roosting bats or nesting birds. It is acknowledged that the site is within the South Hams SAC Landscape Connectivity Zone, however it is located within an existing lit up urban area therefore it would be unlikely to result in any negative impacts on protected bat species and any commuting routes.
- 3.32. Consequently, the proposal is considered acceptable in respect of biodiversity impacts.

Land drainage/flood risk

- 3.33. The site is located within Flood Zone 1 (low risk) and is not within a Critical Drainage Area, thus in principle concerns regarding flooding are not raised. There is no increase in impermeable area proposed with the existing surface water and foul water systems to be utilised. The existing drainage system is intended to be inspected to ensure that it is in good operational order. There would be no additional surface water run-off from the proposal – as such it is concluded that flood risk would not increase on site or elsewhere. On that basis, the proposal is considered acceptable in respect of flood risk impacts.

Highway safety

- 3.34. The development would utilise the existing access and parking arrangements to which the Highway Authority has raised no objections. The increase from 5 to 7 bedrooms is also not considered to attract a significant traffic increase as to render the proposal unacceptable on highway safety terms.
- 3.35. In respect of parking, there are 5 off-street spaces proposed for the occupiers. Policy DW3 of the emerging Teignbridge Local Plan sets out minimum parking requirements for dwellings and employment uses, however it is difficult to apply those to an HMO where each room maybe occupied by a separate entity. In this

case a pragmatic approach is taken. Whilst, parking provision is less than one space per room, the property is located in a sustainable location. The site is situated along the main route through the settlement with bus, pedestrian and cycling provision. There are a number of services within reasonable walking distance (less than 20min) including convenience store, bus stop, health centre, primary school, public houses, village hall, community centre and play park. As such, the future occupants would not be reliant on access to the private car in order to fulfil their everyday needs. In addition, it is acknowledged that the accommodation is intended for those in homelessness crisis and would be temporary in nature. Thus, the possibility of access to the private car is likely to be lower. The provision for pram storage could also be used for cycle storage.

- 3.36. On the above basis, the proposal is considered acceptable in respect of highway safety and parking.

Waste

- 3.37. The submitted plans do not show a specific space for bin storage, however in consultation with the Council's Waste Team it has been concluded that the generous curtilage of the property would provide sufficient space for storage of bins. Due to the robust front boundary of the site, these would likely be stored out of view and would not have a detrimental impact on the street scene. As such, there are no further concerns raised regarding bin storage provision.
- 3.38. The applicant has confirmed that the HMO is to be served by two sets of domestic bins. The use of those will be monitored, and should the need arise, a commercial collection would be introduced.

Fire safety

- 3.39. The Devon & Somerset Fire & Rescue have been consulted on the proposals and set out that the development would need to meet appropriate Building Regulations requirements in respect of fire safety. This will be formally assessed by the Fire Authority at Building Regulations stage.

Public consultation event

- 3.40. The applicant has recognised that Kingskerswell is an established community, and that the proposals may have caused uncertainty for some residents. In consultation with the local Ward Councillors and Kingskerswell Parish Council, the Housing service invited residents to a community engagement event following the submission of the application, where they could find out more about the proposals and to raise any concerns with District Council officers.
- 3.41. A drop-in event was held at The Pavilions, Kingskerswell on 27 August 2025 from 12 noon to 7pm. This was attended by approximately 42 residents, including several immediate site neighbours.
- 3.42. Following the event, the applicant produced a document providing answers to the most Frequently Asked Questions (FAQs) which is included in the submitted Planning Statement. This was shared with the Ward Councillors and has been uploaded to the Parish Council's website.

Conclusions

- 3.43. In conclusion, the proposal is considered to comply with the provisions of the current and emerging Local Plan as assessed above.
- 3.44. The need to tackle homelessness and for the Council to fulfil its duties on appropriate provision of temporary accommodation is a genuine material planning consideration that also weighs in favour of the proposal. On that basis, conditional approval is recommended.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1 Sustainable Development Criteria
S2 Quality Development
S6 Resilience
S7 Carbon Emission Targets
S9 Sustainable Transport
S21A Settlement Limits
EN3 Carbon Reduction Plans
EN4 Flood Risk
EN8 Biodiversity Protection and Enhancement

Emerging Local Plan

The examination hearings for the emerging Teignbridge Local Plan 2020-2040) have been concluded. The post examination letter from the Planning Inspectorate dated 18th December 2024 has stated that the plan is likely to be found sound subject to the modifications agreed at the hearings and in the letter. The Council is currently consulting on Main Modifications version of the plan. There are a number of policies within the emerging plan which did not attract modifications. As such, due to the advanced stage of the plan and in accordance with the requirements of paragraph 49 of the NPPF considerable weight is given to relevant emerging local plan policies unless otherwise stated.

The following emerging policies are considered relevant to the proposed development:

GP1: Sustainable Development
GP2: Development in Teignbridge
GP3: Settlement Limits and the Countryside
CC1: Resilience
CC2: Energy and Carbon Statements
CC4: Sustainable Transport
DW1: Quality Development
DW2: Development Principles
DW3: Design Standards
H12: Residential Amenity
H15: Subdivision of Existing Dwellings
EN6: Flood Risk and Water Quality
EN10: Biodiversity and Geodiversity

National Planning Policy Framework

National Planning Practice Guidance

5. CONSULTEES

TDC Waste

- No concerns as sufficient room for bin storage within the grounds.

TDC Biodiversity

- No objection

DCC Highways

- No objection in principle, however seeking confirmation on the use of the existing mobile home.
- No further objections raised following clarification of the use of the mobile home.

TDC Housing Officer

- Amenities of the property have been considered. Limitations have been set for room maximum occupancy. The property will be managed by TDC's Housing Team for temporary accommodation. As the property is intended to be TDC's, a HMO license would not be required.

TDC Environmental Health (Nuisance)

- No objection.

South West Water

- No comments to make.

Devon & Somerset Fire & Rescue

- Proposal must comply with functional requirements of Building regulations including access and facilities for fire service.
- If proposal is subject to Building Regulations the Regulatory Reform (Fire Safety) Order 2005 then statutory consultation with the Fire Authority is undertaken.

6. REPRESENTATIONS

6.1. Sixteen letters of objection have been received which have raised the following planning related concerns (as summarised):

- Concerns over impact of proposal on the heritage assets in Kingskerswell and the Conservation Area.

- Concerns over the type of use introducing density of living not in-keeping with Kingskerswell's rural and family focused community.
- Concerns that the occupation of the HMO would over-intensive with increase comings and goings creating noise and disturbance.
- Proposal would place pressure on outdoor amenity space.
- Concerns over the creation of excess refuse and waste.
- Concerns over insufficient off-street parking being proposed causing highway and pedestrian safety issues.
- Proposal could set an unwelcome precedent and erosion of family housing stock.
- Proposal does not align with strategic aims of the Local Plan.
- Intensification of use has the potential to impact negatively on the character of the area.
- There is lack of evidence of a management plan.
- Concerns regarding the concentration of HMOs in the area.
- The village has insufficient infrastructure and services to support the proposal.
- Proposal has the potential to increase antisocial behaviour and crime.
- Concerns over loss of a local tourist facility.
- Concerns over impact on property values.
- Concerns in regards to overcrowding.

6.2. Two letters of support have been received highlighting the need for low-cost housing.

7. TOWN / PARISH COUNCIL'S COMMENTS

7.1. Kingskerswell Parish Council requested that the application be determined by the Planning Committee if it is to be recommended for approval in view of transparency.

8. COMMUNITY INFRASTRUCTURE LEVY

8.1. The proposed gross internal area is 209.9m². The gross internal area has been in lawful use for a continuous period of at least six months within the three years immediately preceding this grant of planning permission is 209.85m². The CIL liability for this development is £0. This is based on 0 net m² at £70 per m² and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.

9. ENVIRONMENTAL IMPACT ASSESSMENT

- 9.1. Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

10. BIODIVERSITY NET GAIN (BNG)

- 10.1. Biodiversity net gain is a legal requirement for planning permissions. Planning applications are required to either provide detailed information proving there will be a biodiversity increase of 10% or explain why they are exempt from doing so. Unless exempt, planning permission is subject to the general Biodiversity Gain Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)).
- 10.2. This development is exempt from the general Biodiversity Gain Condition as the development would affect less than 25sqm of area habitat and less than 5m of hedge habitat as the proposal is for a change of use with very minimal external works, thus is subject to the *de minimis* exception.

11. CARBON/CLIMATE IMPACT

- 11.1. The proposal is a change of use application with limited physical works proposed, thus the climate impact of the proposal is likely to be limited. The property is already served by an operation PV panel system. Given the limited amount of works required to convert the building, no further details on carbon reduction have been sought and the proposal is considered to be acceptable in that regard.

12. HUMAN RIGHTS ACT

- 12.1. The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests/the Development Plan and Central Government Guidance.

Ian Perry

Head of Development Management