

## SPSO decision report

**Case:** 201103529, Aberdeen City Council  
**Sector:** local government  
**Subject:** handling of application (complaints by opponents)  
**Outcome:** not upheld, no recommendations

### Summary

Mr C complained that the council had considered a planning application for student accommodation as a 'local' development rather than the 'major' development that he considered would be more appropriate. He took this view because planning legislation says that developments of over 50 dwellings should automatically be considered as major. The council's view was that although the development consisted of around 100 bedrooms, as they were not self contained, they could not be considered as separate dwellings or flats.

We reviewed the legislation and government guidance and took advice from one of our planning advisers. We did not uphold Mr C's complaint as we took the view that the council were correct in saying that the individual rooms could not be considered as self contained. The development was, in effect, one of around 15 units each containing a kitchen, four or five bedrooms and a living area.