



Northumberland County Council

This is Your Personal Data

Planning Services - Development Management

How we handle your information

Information for the public

We are the Planning Development Management department for Northumberland County Council. This privacy notice explains how we use information in the course of our work as a local planning authority and how you can access your records. This work includes:-

- Making decisions and providing advice on planning applications
- Making planning policies
- Working with neighbourhoods on their plans
- Working with neighbouring authorities on strategic policies
- Responding to allegations of unlawful development
- Monitoring development
- Entering legal agreements, serving notices and promoting the best use of land

Everyone working for the Planning Development Management service has a legal duty to keep and process information about you in accordance with the law.

What information is recorded about me?

When determining a planning or related application, the Planning Development Management team receives a variety of personal information from a number of sources, including the application form and any documents of support or objection, the applicant and interested parties and reports of potential breaches. The types of personal information supplied can include:

- contact information regarding the applicant - your name, address, email address, telephone or mobile numbers;
- contact information regarding the agent - agent name, address, email address, telephone or mobile numbers;
- applicants occupation;
- Information about financial viability
- information about applicants health;
- information from individuals relating to expressed opinions or intentions in respect of a planning application.

We get applicant information in two ways – it is supplied to us directly (or via a planning agent on their behalf) or we receive it from a third party website that provides a transaction service. These include The Planning Portal and iApply

We also receive comments, representations, allegations and questions via email, letter, and through our website.



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What is the information used for?

To allow us to make decisions on applications individuals must provide us with some personal data (eg name, address, contact details). In a small number of circumstances individuals will provide us with “special category data” in support of their application (eg evidence of medical history).

We use the information provided to us to make decisions about the use of land in the public interest. This is known as a “public task” and is why we do not need you to “opt in” to allow your information to be used and the information that you provide for a planning application and any subsequent S106 agreement, including personal data, will be used to deal with the planning or related application.

If you do not provide us with this information then we will not be able to process and/or determine the planning application.

It is important that your records are accurate and up-to-date as they will help make sure that our staff are able to provide you with the help, advice or support you need.

Personal data is also recorded when an individual submits a report of an alleged planning breach, this includes name, address, contact details of the complainant and sometimes the name, address and occupation of the person alleged to be responsible for the breach.

How long for?

In order to provide you with this service, we rely on the legal basis of Article 6(1)(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

When you submit a planning application to us, the application, plans and any related documents or comments that you send to us are kept as permanent record of our planning decisions that form part of the history of a site, along with other parts that form part of the “land search”.

When an enforcement case is opened and an investigation into an alleged breach has started all information provided to us including all correspondence and records of telephone conversations are kept on record for a period of six years.

Occasions when your information needs to be disclosed (shared) include:

We do not sell your information to other organisations. We do not move your information beyond the UK. We do not use your information for automated decision making.

To comply with its statutory obligations, the Council must make public details relating to planning applications, Planning Enforcement Notices and other Notices in the form of a public register. Regulations allow this information to be made available on the internet.

The Council will publish, on its website, a copy of your application documentation or when enforcement action is taken a copy of the Notice. In relation to planning applications this includes the name and address of the applicant and, where an agent is acting for the applicant, the name and contact details of that agent which may include name, address, email and telephone number. As from the 1st August we will also display where applicable information relates to financial viability.



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To protect personal data from unnecessary disclosure, the Council will remove applicants' telephone numbers and email addresses and signatures from the information that may be viewed via the website. In relation to Enforcement Notices the name and address of the person who was served with the Notice is included on the Notice.

In order to consider planning and related applications including investigations into planning breaches, the Council may share information with consultees (including other sections of the Council), Town and Parish Councils and members of the public.

All comments received are also available for inspection by the public, land charges department, Council legal department, consultees, applicants and Councillors. We are required to publish any comments (with the name and address of the person making the comment) received on planning applications, and they may be reported to the Council's Planning Committee in summary form and may also be shared with the Planning Inspectorate and the applicant if an appeal is made.

If you are making comments on a planning application, to reduce the chances of identity theft please remember to: Include the minimum necessary personal information from correspondence – usually your name, address and, if you would like us to contact you in another way other than post, one form of other contact (telephone or email). The Planning Development Management Team will not take anonymous comments on planning applications into account. Details such as signatures, personal telephone numbers and personal email addresses will be redacted before being published on the internet.

The personal information you provide will not be used for any other purpose unless required by law, to prevent or detect crime or to protect public funds.

Important

The applicant or their agent are to highlight to the Council, when submitting a planning application, any personal data that they do not wish to be published or disclosed. If this is not made clear to the Council, this information may be published on the Council's website.

The Council will discuss with the applicant/agent any information that they have stated they do not wish to publish if the Council believes it will have a material effect on the decision making process.

We are also required by law to report certain information to appropriate authorities – for example:

- where we encounter infectious diseases which may be a public health concern
- where a formal court order has been issued.

Can I see my records?

The General Data Protection Regulation allows you to find out what information is held about you, on paper and computer records. This is known as 'right of subject access' and applies to your Planning Development Management records along with all other personal records.

If you wish to see a copy of your records you should submit a Subject Access Request which is available on our website or by contacting the Information Governance Office directly. You are entitled to receive a copy of your records free of charge, within one month.

In certain circumstances access to your records may be limited, for example, if the records you have asked for contain information relating to another person.



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Do I have Other Rights?

Data Protection laws gives you the right:

1. To be informed why, where and how we use your information.
2. To ask for access to your information
3. To ask for information to be corrected if inaccurate or incomplete.
4. To ask for your information to be deleted or removed where there is no need for us to continue processing it.
5. To ask us to restrict the use of your information.
6. To ask us to copy or transfer your information from one IT system to another in a safe and secure way, without impacting the quality of the information.
7. To object to how your information is used.
8. To challenge any decisions made without human intervention (automated decision making).
9. To lodge a complaint with the Information Commissioner's Office whose contact details are below.
10. If our processing is based upon your consent, to withdraw your consent.

Further information

If you would like to know more about how we use your information, or if for any reason you do not wish to have your information used in any of the ways described in this leaflet, please tell us. Please contact the Central Registry team on 01670 627040 or planning@northumberland.gov.uk

Or alternatively our Data Protection Officer: informationgovernance@northumberland.gov.uk

You also have the right to complain to the Information Commissioner's Office if you are unhappy with the way we process your data. Details can be found on the ICO website, or you may write to the ICO at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

Email: casework@ico.org.uk