**Planning Application privacy notice**

**What this document is for**

Broadland District Council (the Council), as the local Planning Authority has a statutory duty to determine planning applications and control development within Broadland. This Privacy Notice provides information on how, we, the Council, uses your personal information in order to undertake these functions.  By ‘use’ we mean the various ways it may be processed, including storing and sharing the information.

**Further details**

We also provide further details regarding:

* who we are
* your rights under the GDPR and the DPA
* how to exercise them
* how to contact the Data Protection Officer

You can see this information in the Council’s [**general privacy notice**](https://www.southnorfolkandbroadland.gov.uk/data-protection/privacy-policy)on our web site or you can ask us for a copy of this information.

**What we use your information for**

We use your personal information primarily to assist in:

* the supply of pre application advice when requested
* the determination of planning applications, including considering representations in the determination of a planning application, together with any subsequent appeal that may be lodged
* the monitoring of permitted sites
* the improvement of our services

We also use this information to assess the quality of our services and evaluate and improve our policies and procedures.

We may also use information in other ways compatible with the above.

**The information we collect and use**

We collect and use the following information about you:

* name
* address
* email address
* telephone number
* signatures
* any other information that you may provide to us within the content of your planning application or representations

**Who provides this information**

The information we hold is information you have provided to us as:

* an applicant for planning permission or pre application advice
* an agent for a planning application or pre application advice
* a respondent on planning applications or footpath diversion orders

**The legal basis for processing your information**

We have legal grounds to process this information under the UK GDPR because it is necessary:

* for the performance of a task carried out in the public interest. The tasks we carry out in the public interest are under the:­
* Town and County Planning Act 1990 and associated regulations
* Planning (Listed Buildings and Conservation Areas) Act 1990
* Planning and Compulsory Purchase Act 2004 and associated regulations
* The Openness of Local Government Bodies Regulations 2014
* for compliance with a legal obligation, such as to determine a planning application.

**Who we share your personal information with**

**Where you submit a planning application**

To enable planning applications to be considered in a transparent and open
manner, we will:

* publish the application (including supporting drawings, reports, decision notice and correspondence) on the Council’s website.

**Your name and address will be retained in your application and published on the Council’s website**, but any signatures and contact details will be redacted from public viewing

**The name and contact details of planning agents will also be published as part of the application.**

* notify statutory consultees such as the Environment Agency, Natural England, and County Council and town/parish councils and residents, of your application and invite comments
* In the event of you submitting an appeal in connection with your planning application, your application information (excluding any redacted personal data as detailed above) will be provided to The Planning Inspectorate.

**Where you make representations in respect of an application as part of the consultation process**

To ensure that planning applications are considered in an open and transparent manner, we will:

* publish your representation on the Council’s website.

**Your address will be retained in your representation and published on the Council’s website**, but your name and any signatures and contact details will be redacted from public viewing

Any sensitive personal data, such as medical information that you include in connection with your representation, will be omitted from any documents included on the website. However, we will still hold the full consultation response in order to make an informed decision on the planning application.

We may also use your information to contact you prior to and following determination of the planning application, including notifying you of any amended proposals together with any subsequent appeal.

In the event of an appeal being lodged in connection with a planning application, your representation (excluding any redacted personal data as detailed above) will be provided to the Planning Inspectorate.

Where relevant, all correspondence received will be sent to the courts or the Local Government Ombudsman (LGO) in the event of a legal challenge or complaint to the LGO.

Personal Information held may also be shared with our software system provider, Idox in the event of data migrations or in order to resolve system issues.

**Where you comment on a footpath diversion order**

If you make a comment to the Council regarding a proposed footpath diversion order, your details will not be published on our website, however if requested, we will share your name and postal address, along with your comments, with the applicant and any interested parties. Additional personal information will be redacted and not shared.

**How long your personal information will be kept**

We will retain your information relating to comments on planning applications and footpath diversion orders for 10 years from the date of the final decision.

All planning applications are held on a public register, including your name and address, and will not be deleted as they may be used for monitoring implementation of permissions and conditions and considering permitted development rights. However, personal data will be removed from our electronic system 10 years after the final decision.

**How we keep your information**

The information is stored electronically on the Council’s secure system and on our software system, Idox - Uniform.

We do not process your information outside of the UK.

**Changes to this notice**

We may amend this privacy notice at any time so please review it frequently. The date below will be amended each time this notice is updated.

This notice was created on 6/2/2023