

Privacy Notice for Planning Applications

Why we are collecting your personal data?

Rother District Council is a data controller for the purposes of the Data Protection Act 1998 and, from the 25 May 2018, the General Data Protection Regulation 2016. We collect, hold and use your personal data in order to carry out checks to enable us to decide whether or not to issue you with planning consent you have applied for and process your application to completion. We will only collect such personal data from you that we need in order to provide this service to you.

What is the legal basis for processing your data?

We do this as a task carried out in the public interest in accordance with planning legislation, for example:

- Town and Country Planning Act 1990
- Development Management Order 2015
- Wildlife and Countryside Act 1981
- Planning and Compensation Act 1991
- Planning (Hazardous Substances) Act 1990
- East Sussex Act 1981
- Environmental Protection Act 1990
- Local Government (Miscellaneous Provisions) Act 1972
- Local Government (Miscellaneous Provisions) Act 1982
-

Who will your personal data be shared with?

To ensure our record keeping is efficient and to be able to provide services promptly across Rother we will hold your personal information on our own database. However, we may share your personal data internally for our own data matching exercise, using names and addresses. This helps us to ensure the personal data we hold across the Council is accurate and up to date and to identify customers by a single customer record.

Submission of a Planning Application

Planning applications are held as a public register in accordance with planning Legislation. The information is also published in the Online Register of Applications on the Council's website <http://www.rother.gov.uk/article/361/Viewing-Applications-Decisions-and-Appeals-Online> within the exception of:

- Personal contact details of the applicant, e.g. telephone numbers, email addresses
- Signatures

- Special Category Data - e.g. supporting statements that include information about health conditions or ethnic origin; and
- Information agreed to be confidential

If you are submitting supporting information which you consider as being confidential or wish to be specifically withheld from the Public Register, please bring this to our attention for consideration.

Commenting on a Planning Application

It is our policy to publish comments received in relation to a planning application in the Council's Online Register. However, we will not publish the following:-

- Personal contact details of the applicant, e.g. telephone numbers, email addresses
- Signatures
- Special Category Data - e.g. supporting statements that include information about health conditions or ethnic origin; and
- Information agreed to be confidential

We may also use and check your personal data for the investigation and prevention of fraud, anti-social behaviour and criminal activity or where we are under a legal obligation to do so. This may include sharing your information with police services, credit reference agencies, governmental organisations (e.g., Department for Work and Pensions and HM Revenue and Customs) and other local authorities. We also take part in the National Fraud Initiative's anti-fraud data matching exercise for these purposes.

We may also use your information for the purpose of performing any of our statutory enforcement duties.

Your information may be anonymised into statistical or aggregated data in such a way as to ensure that you are not identified or identified from it. This information might be used to conduct research and analysis, including to prepare statistical research and reports.

We will not

- Use your personal data for marketing or sales purposes without your prior explicit consent.
- Store or send your personal data to a country outside the European Economic Area (EEA).
- Make decisions about you based on automated processing of your personal data.

How long will we hold your personal data for?

Planning applications, including comments made on planning applications, will be kept indefinitely.

Your rights

The General Data Protection Regulation gives you a number of rights in relation to your personal data:

- Right to access a copy of your personal data.
- Right to have your personal data corrected.
- Right to have your personal data deleted (“right to be forgotten”).
- Right to restrict how we use your personal data.
- Right to ask us to transfer your personal data to another service provider.

You can get more information about these rights in the Council’s Privacy Policy.

If you wish to exercise any of these rights please contact our Information Governance team on informationgovernance@rother.gov.uk in writing or by completing our online form.

If you are dissatisfied with how we have used your personal data you have a right to complain to the Information Commissioner's Office at casework@ico.org.uk.

Identity of Data Protection Officer

If you have any questions or concerns about how your personal data is handled, you can contact our Data Protection Officer (DPO), Graham McCallum, at dataprotection@rother.gov.uk

Last updated – January 2021