

Privacy notice - Planning services

Lawful basis for processing your data

As the local planning authority, Wyre Council collects, processes and stores personal information about you in order to administer and assess planning applications, and to fulfil its local planning and economic development functions. This processing is carried out in accordance with Article 6(1)(e) of the General Data Protection Regulations (GDPR). In addition, any personal information containing special category data will be processed under condition (g) of Article 9(2) of the GDPR.

How we use your personal information

Wyre Council (the Data Controller) is committed to protecting your privacy and will use the information we collect about you in order to assist us in carrying out our statutory and non-statutory planning functions, and to fulfil our legal obligations around all planning processes which we administer in accordance with the Town and Country Planning Act 1990 and other relevant legislation.

We do not use the information provided in any planning process for any other purposes unless we are required to do so by law.

When we collect personal information

Personal information may be collected, used and stored in electronic and paper formats when you:

- Submit any planning related application together with any supporting documentation
- Contact us about any existing application (including submitting a representation objecting to or supporting an application). This includes contact by email, letter or telephone
- Submit any request for a pre application meeting to discuss a development you intend to submit an application for
- Contact the council to report an alleged breach of planning control in writing (letter or email), online (using the online form) or by telephone
- Are the owner/occupier, or otherwise have a legal interest in any land which may be subject to a report of an alleged breach of planning control
- Make a comment on local planning documents, including those made during formal public consultation exercises and
- Provide information – for instance regarding land that you own - for the purposes of formulating planning policy and as required by relevant planning legislation
- Provide information to confirm your eligibility to purchase an affordable home
- Provide information to confirm your eligibility to join the self build and custom build register.

We may also receive information about you from third parties, including planning agents who may be acting on your behalf and interested parties who may comment on your application or provide information for the purposes of local planning.

Personal information we collect

The types of personal information we collect may include:

- Basic personal information including name, address, contact details
- Financial information where required
- Your occupation
- Your interest in any land
- Information about your personal circumstances, including health or the health of members of your family, where required to support a planning application
- Information relating to expressed opinions or intentions in respect of a planning related application and
- Any other relatable information you provide to us in the furtherance of the functions of the local planning authority that allows an individual to be identified or become identifiable

How we protect your personal information

We use a range of appropriate measures to ensure that your data is stored securely and only accessible by those who need to access it. However, as we are required to make certain information about planning related applications available to the public and we cannot guarantee that all the information you provide will remain confidential.

In order to protect your personal data from any unnecessary disclosure, we will remove personal telephone numbers, mobile numbers, email addresses and signatures from the information that may be viewed online or in paper form, but we will not as standard remove these details where they relate to an organisation/company or an individual acting on behalf of an organisation/company.

Where we are required to share information externally, we will ensure that it is sent in a secure way, such as through the use of encrypted pen drives and registered post.

Neighbourhood plans

In the case of neighbourhood plans, the Planning Policy Team is responsible only for the personal data collected as a result of the council's duties in respect of neighbourhood plans. The council is not responsible for the personal data collected by parish or town councils or neighbourhood forums in the establishment or development of a neighbourhood plan.

Planning application information to be made publicly available

In order to comply with our statutory obligations we must make certain details about planning related applications available in the form of a public register. Regulations

also permit and actively encourage this information to be made available online. This includes the name and address of the applicant and, where an agent is acting for the applicant, the name and address of that agent.

We will publish a copy of your completed application form and relevant supporting documents and drawings on our website. We will also publish any public representations/comments on our website, although no personal information will be shown. If the council's decision on the application is appealed, the Government's Planning Inspectorate, who considers the appeal, will ask for copies of all application correspondence and they may also publish comments online.

The law requires us to maintain the information on the register of planning applications indefinitely, and as such certain information relating to applications will be available on our website permanently. Public comments and representations on applications do not form part of the statutory register.

Supporting documents may also sometimes contain personal data. Any such data including information about your health or personal financial circumstances will be removed prior to publication.

We also reserve the right not to publish any documents containing perceived defamatory, libellous, insulting, offensive, abusive or obscene comments.

In order to ensure that no unnecessary personal data is published online, please consider the following:

- We strongly recommend that you indicate any documents (in whole or in part) containing personal information that you they do not want to be seen by the public. However, we have a legal duty to make certain details available, so we cannot guarantee that such requests will be approved
- Please do not include any information in your application, comments or supporting documents which is not required for the planning process
- In particular please refrain from sending us sensitive information such as health or medical details where these are not required
- Please also refrain from including personal information about other people in your correspondence with us
- When sending us comments or objections by email, we recommend that you include your comments in an attachment, so we can avoid publishing personal details such as your email address and
- We do not require a hand written signature on any correspondence you send, and recommend that you do not include this so as to avoid the possibility of this being copied for possible use in identity theft

Sharing information with other organisations

We will not share your information with any other organisations unless required to do so by law.

If an appeal is lodged against a decision we make, the Government's Planning

Inspectorate will ask for copies of all application correspondence, which may contain some personal information about applicants and third parties who have commented on the application.

Where a local planning document is required to undergo a public examination, unredacted personal information and comments will be sent to the appropriate examining body. The examining body will hold, use and share the data in accordance with its own legislation and as specified in its privacy statement.

How long we keep your personal data

We will ensure that data we no longer need is deleted from our physical and electronic systems. A lot of information about planning related applications must be retained indefinitely (this is required by law) but in relation to planning related applications, certain information, including public comments and representations will be deleted permanently after a decision has been made (this will include any period during which an appeal may be made or is ongoing, and any period within which a judicial review of the application may be sought or is ongoing).

Information obtained during the preparation of a planning document will be kept until that document has been replaced or superseded. This does not include contact details provided as part of the planning policy consultee database unless requested.

For more information on the data retention periods for all planning documentation, please contact the council.

Some information may be retained for performance indicator monitoring, any information retained for these purposes will be anonymised.

Planning policy consultee database

Interested individuals and organisations can request to be added to the planning policy consultee database. All those on the database will be notified when any relevant planning documents are published.

If you have given your consent to be added to our consultee database, we will not pass your details on to any third parties. Contact details will be stored confidentially, in accordance with GDPR. You have the right to withdraw your consent to your inclusion in this database or to amend your personal details at any time, by contacting the Planning Policy Team

Your rights

You have the right as the data subject to access your data at any time. If you feel the data we hold is inaccurate or incomplete, you are entitled to have your personal data rectified. In some instances you may also have the right to have your personal data deleted; unless there is a legal obligation to retain it. If you wish to exercise any of the rights under GDPR, please contact the councils Data Protection Officer.

Notices and revisions

We reserve the right to amend this privacy notice at any time. However, we take your privacy very seriously and will never change our policies or practices to make them less protective of your personal information.

If we do make any changes to this privacy notice, we will post the current version to our website at this address.

Contact us

If you have any questions about how we handle your personal data, please contact the council's Data Protection Officer; Joanne Billington on 01253 887372 or visit wyre.gov.uk for further information.

You also have the right to contact the [Information Commissioner](#) if you are unhappy with how we are handling your personal data.