

## **Privacy Notice (How we use your information)**

### **Planning – Development Management**

#### **The information that we collect, process, hold and share include:**

- Personal information such as name, postal and e-mail address, phone number and land ownership information.
- Representations on a planning application are published in full on the Council's website except for the name, e-mail address, telephone number and signature of the writer. **We will publish the address and any text specifically identifying the writer's location unless specifically requested by the writer not to do so.** We will also remove any comments of a personal, slanderous, libellous, defamatory or otherwise offensive or abusive nature included in your comments which are published on the Council's website. Comments will be retained on file and are subject to requests under Freedom of Information.

#### **Why we collect and hold this information**

We are the Development Management department for Kirklees Council. This privacy notice explains how we use

Information in the course of our work as a local planning authority. This work includes

- ✂ Making decisions and providing advice on planning applications
- ✂ Responding to allegations of unlawful development
- ✂ Monitoring development
- ✂ Entering legal agreements, serving notices and promoting the best use of land

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

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

To allow us to make decisions on their 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.

The planning process is tri partite between the developer, the Local Planning Authority (LPA) and the public. To function optimally, the precise nature of the perceived impact of the proposed development on the public needs to be known, either to be overcome with alterations to the proposal (thus meeting the objective of the public representation); or to be

weighed fully in the decision making process. Therefore in exercise of its official authority vested in the Council as LPA to meet this duty/task the Council considers that it is necessary for the objectors' address to be on record.

Some information provided to us we are obliged under the regulations to make available on planning registers. This is a permanent record of our planning decisions that form part of the planning history of a site, along with other facts that form part of the "land search".

## **The lawful basis on which we use this information**

We collect and process information about you under Article 6(1)(e) Public Task and Article 6(1)(c) Compliance with a Legal Obligation of the General Data Protection Regulations. You have a qualified right to object to the use of personal information verbally or in writing.

## **Storing this information**

We will hold the information about you securely in electronic form. Where paper documentation is submitted this is scanned into an electronic file as soon as reasonable. The information is stored for no longer than necessary in accordance with the relevant retention policy.

You can request that your personal information is destroyed by contacting the development management business support team: [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

## **Who we share this information with**

We routinely share this information with:

- Other Services within Kirklees Council who contribute to the Planning process
- External consultees who are required to contribute to the Planning process.
- National government departments e.g Local Government Ombudsman, the Planning Inspectorate or the Courts where action has been taken as a result of the planning process.

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. We will make details of planning applications available online so that people can contribute their comments. We will sometimes need to share the information we have with other parts of the council-for example to establish how long a building has been used as a dwelling.

## **Why we share this information**

We share information with the Planning Inspectorate on a statutory basis where an appeal has been lodged against a decision by the Local Planning Authority or its failure to issue a decision. This enables the Planning Inspector to conduct a fair and complete examination of the appeal and invite individuals and agents to attend hearing sessions.

We share information with other Council Services and external consultees where their opinion and comments are required to be considered as part of the planning application and complaints process.

We share information with the Local Government Ombudsman where a complaint has been lodged against a planning decision.

We do not share personal information about you with anyone else without consent unless the law and our policies allow us to do so.

We operate a policy where we routinely redact the following details before making forms and documents available online:

- Name, personal telephone numbers, and email addresses, except where these are in the public realm.
- Signatures
- Special Category Data - e.g. supporting statements that include information about health conditions or ethnic origin
- Information agreed to be confidential

Sometimes we might decide it is necessary, justified and lawful to disclose data that appears in the list above. In these circumstances we will let you know of our intention before we publish anything.

If you are submitting supporting information which you would like to be treated confidentially or wish to be specifically withheld from the public register, please let us know as soon as you can - ideally in advance of submitting the application. The best way to contact us about this issue is [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

## **Further information**

If you would like further information about how we manage your data, please see the privacy notice for Kirklees Council at <http://www.kirklees.gov.uk/beta/information-and-data/how-we-use-your-data.aspx>

If you would like further information about this privacy notice, please contact: John Ritchie–  
[john.ritchie@kirklees.gov.uk](mailto:john.ritchie@kirklees.gov.uk)

If you have any worries or questions about how your personal data is handled, please call the Data Protection Officer at [DPO@kirklees.gov.uk](mailto:DPO@kirklees.gov.uk) or by ringing 01484 221000.