

Privacy Notice for Planning and Building Control applications

V3.0

Reviewed December 2022



Planning and Building Control applications

Our core data protection obligations and commitments are set out in the council's **primary** privacy notice at www.bolton.gov.uk

This notice provides additional privacy information for:

- Members of the public look to use the planning and building control service
- Professional bodies engaging with the service

It describes how we collect, use and share personal information about you

- In relation to planning and building control applications
- the types of personal information we need to process, including information the law describes as 'special' because of its sensitivity

It is important that you read this notice, together with any other privacy information we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information.

The information collected and held will vary dependent on the service used.

Purposes

We collect your personal information for the following purposes:

- To validate and register the planning and building control applications and appeals in adherence with its statutory obligations
- Any enforcement actions required
- To comply with the statutory requirements of the Building Act 1984

Categories of personal data

In order to carry out these purposes we collect and obtain:

- Basic details about you such as name, address, telephone number, email address.
- Contact we have had with you, such as any correspondence
- On occasion special category data such as information around health or disability

Legal basis for processing

The legal basis for processing your personal information is:

- Statutory duty under the Town and Country Planning Act 1990
- Statutory requirement under the Building Act 1984
- in the public interest or in the exercise of official authority

If you fail to provide certain information when requested, Bolton Council may be unable to process the application.

Information sharing/recipients

We may share personal information about you with the following types of organisations:

- Teams within the Council in order to provide our services
- Third parties when required to do so e.g. other statutory consultees such as the Highways Agency, Natural England Environmental Agency and Building Control
- Agencies working on behalf of you with your consent
- The Planning Inspectorate
- The application will be available on the public register, however parts of the personal information will be redacted where possible e.g. telephone number (planning applications)
- When required by law to prevent or detect crime or to protect public funds

Comments on a planning application

Any comments you make will be available to the general public upon request. Any names, addresses, signatures, personal email addresses and personal contact numbers will not be generally available but will be recorded on our planning database.

Any medical information submitted will be redacted unless there is exceptionally a legitimate reason for this special category of data to be processed.

Your information will be used for planning related reasons including but not limited to:

1. Further publicity about the application
2. To advise you if the application is being heard at a committee
3. Your comments will be included within the officer's report (either verbatim or in essence).
4. To advise you if an appeal is lodged. At this time your name and address will also be sent to the Planning Inspectorate and to the appellant

Planning and enforcement appeals

In the event of an appeal we will send unredacted neighbour comments to the Planning Inspectorate and the applicant/agent when the applicant make an appeal against a decision.

Although the Council aim to control the data it processes, once a Neighbour Representation has been sent to the Parties to the Appeal they will have viewed the information and there is no way of reversing this.

Please note that we do not accept anonymous or confidential representations, however, you may comment on a case and ask for your identity to be withheld.

If you request this then your representation will be copied to the parties and provided to the Inspector without your name and contact details, and your representation may be given less weight by the Inspector as a result.

in the event that you do not want to be identifiable from your representation you should avoid including information which may identify you.

Automated Decisions

For this service:

- All the decisions we make about you involve human intervention

Data retention/criteria

We will only keep your personal information for as long as the law specifies or where the law does not specify this, for the length of time determined by our business requirements.

Rights of individuals

You have certain rights in relation to the council's use of your personal information.

To find out more about how these rights apply in particular circumstances, please refer to our [Guide to exercising your rights](#) or alternatively visit the Information Commissioner's web site at www.ico.org.uk

If you wish to exercise your rights or to raise a concern about the handling of your personal information by the council, please contact our Information Governance Team at information.security@bolton.gov.uk.

If you are still unsatisfied you should contact **The Information Commissioner's Office** by post at the ICO, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or by telephone: 0303 123 1113

Updates to Privacy Notice

We may update or revise this Privacy Notice at any time so please refer to the version published on our website for the most up to date details