

Privacy Notice for Planning

Who we are

We are the planning department for Bath and North East Somerset 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
- Making planning policies
- Working with neighbourhoods on their plans
- Working with neighbouring authorities on strategic policies
- Responding to allegations of unlawful development (planning enforcement)
- Monitoring development including the monitoring of Section 106 Agreements
- Administration and collection of Community Infrastructure Levy (CIL)
- Entering legal agreements, serving notices and promoting the best use of land

If you have questions about data or privacy contact our Data Protection Officer on 01225 477000 or email data_protection@bathnes.gov.uk

Data Subjects

This notice concerns:

- Individuals or planning agents who submit their own applications or who submit on behalf of someone else
- Appellants (those who appeal a decision)
- Members of the public who comment on planning applications
- Members of the public who comment on or contribute to planning policy consultations (including neighbourhood plans)
- Individuals who lodge a complaint about unauthorised development (enforcement)
- Individuals who are the subject of an enforcement investigation or action
- Individuals who are liable to pay CIL or who are responsible for paying or delivering S106 planning obligations

How we get your information

We get planning application information from individuals or via a planning agent on their behalf either directly in paper or by email or they can be received through third party websites that provide a transaction service:

- The Planning Portal
- iApply

We also receive comments, representations, allegations, complaints and questions via email, letter, telephone and through our website.

What we do with your information

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 a planning 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. Where we use information about medical conditions we consider this to be covered by the GDPR condition for processing in the ‘substantial public interest’ GDPR article 9.2.b.

Some information provided to us we are obliged, under the regulations to make available on the planning register or the enforcement register. This is a permanent record of our planning and enforcement decisions that forms part of the planning history of a site, along with other facts that constitute the “land search”.

Failure to provide requested information is likely to result in applications, comments about applications, complaints and other service requests not being considered or provided.

In relation to plan-making individuals must provide us with some personal data e.g. name, address and contact details. We use this information to help us understand and process the representations received; to keep representors informed of upcoming stages in plan preparation; and at the formal pre-submission stage we are required to share your contact details with a Planning Inspector (independent of the Council and appointed by the government) to undertake Examination of the Plan.

How we share your information and publish it on our website

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 statutory planning applications available on our website so that people can view them and contribute their comments here www.bathnes.gov.uk/developmentmanagement.

If information is displayed on our website that you consider personal, offensive or defamatory you should contact us at development_management@bathnes.gov.uk or call 01225 394041 to request that it is removed and we will consider your request.

We will sometimes need to share the information we have with other parts of the council, for example to establish how long a building may have been used as a

dwelling and we may have to share your data with external bodies such as Avon Fire and Rescue or the Police.

With regard to plan-making your information will be shared with the Planning Inspector if you submit comments on the pre-submission draft Plan. The only information that will be published on the Council's website concerning representations on a planning policy document is your name. Contact details and signatures will not be published.

Commenting on Planning Applications

When you make a comment on a planning application either in writing, by email or using the webform, we will collect your name, address and email address. This is because we may wish to contact you about your contribution. Your comment and your name will be published on the website against the relevant planning application. Your name is published so that it is easy to identify multiple comments from the same person. As the full content of your comment is published, you are advised not to include any information which could be considered personal to you or others. We will not publish anything we consider to be unlawful, defamatory, libellous, obscene, offensive, scandalous or any material that encourages a criminal offence.

Once the application is decided, all comments are removed from the public website.

Planning Appeals

If an application is the subject of an appeal, your comment and your name will be re-published on the website for the duration of the appeal. Your information will be passed to the Planning Inspectorate (PINS) for the purposes of determining the appeal. The Inspector may contact you about your contribution. Once the appeal is determined all comments are removed from the public website for good.

Commenting on Planning Policy documents

When you make a comment on a planning policy document (e.g. the Local Plan) either in writing, by email or using the webform, we will collect your name, address and email address. This is because we may wish to contact you about your contribution and keep you informed of plan preparation as it progresses. Your comment and your name will be published on the website within a schedule of comments on the document. As the full content of your comment will be published, you are advised not to include any information which could be considered personal to you or others. We will not publish anything we consider to be unlawful, defamatory, libellous, obscene, offensive, scandalous or any material that encourages a criminal offence.

Redaction ('blinking things out')

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

- Personal contact details of the applicant i.e. telephone numbers, email addresses
- Full signatures

- Special Category Data - e.g. supporting statements that include information about disability or financially sensitive information.
- Information we consider to be confidential

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 in advance of submitting the application so that we can consider your request.

The best way to contact us about this is to email

development_management@bathnes.gov.uk or call 01225 394041, option 5

Retention Schedule ('how long we need to keep your information for')

Documentation	Retention period
Applications for planning permission and other land use consents and certificates	Indefinitely
Neighbours comments about planning applications	6 months from decision
Pre-application advice	15 years from issue
Enforcement notices	Indefinitely
Enforcement correspondence	15 years from receipt
General enquiries or service requests	6 months from last contact
Comments responding to planning policy consultations	15 years or once the relevant Plan has been adopted and superseded (whichever is the sooner)

Complaints and problems

If you need to make a complaint about the way we have processed your data you should in the first instance contact the Data Protection Officer on 01225 477000 or email data_protection@bathnes.gov.uk. If we fail to respond properly you can direct your concerns to the [Information Commissioners Office](#).