

Privacy Notice for Planning Services & Planning Policy

We are a [local planning authority](#). Broadly our functions include producing a local plan and associated new planning policy documents, deciding whether to grant or refuse planning permission for buildings and development in the borough of Dartford and responding to suspected breaches of planning control. We need to collect your personal information to carry out the planning control and forward planning functions.

Most of the personal information we hold about you is provided by you in your application(s) and supporting document(s), by you in representing a specific consultation body or when you express a clear interest in responding to planning policy consultations. The information collected and held will vary and depend on the nature of the service.

Processing activity - we will process personal information relating to:

- applications (town & country planning and listed building & conservation areas and NSIPs)
- permissions/consents
- refusals
- consultations
- pre-application advice and guidance
- appeals against refusal of planning permission and enforcement notices
- high hedges complaints
- hedgerow removal notices
- determining applications for certificates of appropriate alternative development
- determining applications for hazardous substances consent and revocations
- applications for works to and removal of trees
- investigating, enforcing and if applicable, prosecuting for breaches of planning and control and criminal offences related to listed buildings
- service of notices (town & country planning and listed building & conservation areas)
- collection of community infrastructure levy
- land ownership requisition(s)
- general correspondence between you and us on matters related to the planning application service and/or planning policy function

Information requirements - our processing activities may include:

- your address, telephone number, email address (applicant and/or agent)
- site address
- health data
- ethnicity
- offence(s) data
- land ownership details
- record of fee payments (excluding debit/credit card details)

Lawful bases - our lawful bases for processing your personal information are:

- our legal obligation(s) under the Land Compensation Act 1961
- our legal obligation(s) under the Town and Country Planning Act 1990 and [associated regulations](#)**
- our legal obligations under the Planning (Hazardous Substances) Act 1990**
- our legal obligations under the Planning (Listed Buildings and Conservation Areas) Act 1990**
- our legal obligation(s) under the Channel Tunnel Rail Link Act 1996
- our legal obligation(s) under the Hedgerow Removal Regulations 1997
- our legal obligation(s) under the Anti-Social Behaviour Act 2003
- our legal obligations under the Planning and Compulsory Purchase Act 2004
- our legal obligation(s) under the Planning Act 2008
- our legal obligations under the Community Infrastructure Levy Regulations 2010
- necessary for the performance of a task in the public interest or in the exercise of official authority vested in us under the legislation referred to above

Reasons for processing - some of the information we collect is classified as **special category personal data** such as health data or personal data consisting of **criminal convictions and offences (including alleged offences)**. This is processed for reasons of substantial public interest under the laws that apply to us (see above) where this helps to meet our broader social obligations such as where it is necessary for us to fulfil our legal obligations and regulatory requirements. We have a Data Protection Policy that sets out how this information will be handled.

Data sharing - we may share your information with a number of other organisations as part of the planning application process for example the Planning Inspectorate. We may also share information with the police to aid with the detection and prevention of criminal acts. We may also rely on a number of **exemptions**, which allow us to share information without needing to comply with all the rights and obligations under the Data Protection Act 2018. Please refer to the Kent & Medway Information Agreement for further details on our sharing arrangements.

If requested, we are required by law to disclose information to the Cabinet Office as part of the [National Fraud Initiative](#).

Our Building Control service has a role in checking that **Building Regulations** are being complied with. Following your submission of your planning application, our Building Control will contact you to discuss the service it can provide. You will be given the opportunity to opt-out of any further communication from Building Control when you are first contacted and in any subsequent communications. You can do this by clicking the opt-out link at the bottom of Building Control communications or by writing to the address given in its communications.

The Town and Country Planning Development Management Procedure Order 2015 require us to hold planning applications in a **public register**. The information is also published on [Public Access](#) with the exception of:

- personal contact details of the applicant such as telephone numbers, email addresses
- signatures
- personal sensitive information
- information identified as confidential

We **publish comments** received in relation to applications under town & country planning legislation on [Public Access](#) until such time as a decision is made. We also publish comments received on planning policy consultations. The following information is withheld:

- personal contact details of the applicant e.g. telephone numbers, email addresses
- signatures

Retention period - certain datasets such as planning applications and enforcement files are kept permanently. Please refer to our Information Asset Register for specific retention periods applying to our Planning Services datasets. Information is held securely and disposed of confidentially.

Right to object – where processing your personal information is required for the performance of a public interest task (see our lawful bases above), you have the right to object on ‘grounds relating to your particular situation’. We will have to demonstrate why it is appropriate for us to continue to use your personal data.

Changes to this Privacy Notice – we review this Privacy Notice regularly and will place updates on our [website](#).

Please refer to our Corporate Privacy Notice at www.dartford.gov.uk for further details of how we process your personal information and your rights.