

Planning Applications Privacy Notice

Who we are

Hart District Council (the Council) has a statutory duty to manage development within Hart. The Council is a Data Controller because it determines why and how your data is being collected and how it is processed. Processing is anything that is done with personal data including collecting, recording, storing, using and sharing.

All information will be dealt with in accordance with the UK General Data Protection Regulation (UK GDPR).

Information collected by us

Personal information collected in planning applications consists of names, addresses, e-mail addresses, telephone numbers, signatures and any other information that an individual may provide to Hart District Council within the content of their planning application or representation.

How we use your personal information

We store and process information as we are required in order to comply with our legal obligations.

We store and use personal information included within planning applications and submitted to us within a consultation response or neighbour representation in order to determine planning applications submitted to us and to follow the legal processes in decision making.

Anyone can submit comments to object, support or comment on an application, but comments must be made in writing and should not be anonymous.

Therefore, any correspondence must contain personal information such as a name, address, e-mail address and/or telephone number.

Any views/comments received will be taken into account when deciding the application, will be published online, and will be sent to the Planning Inspectorate in the event of an appeal and the Secretary of State if referral is necessary. Personal information is used for the purpose of the planning process only.

How long your personal information will be kept

All information submitted within a planning application, consultee and neighbour representations, and petitions, including names, addresses, signatures and contact details, will be retained by the Council in accordance with its Retention and Disposal Schedule and will form part of the Council's Statutory Planning Register. Some of this information (such as your name and address) will be displayed against the planning application on the Council's website.

Reasons we collect and use your personal information

We collect and use your personal information as a public authority where it is necessary for the performance of a public task in the public interest.

We also collect and use your personal information where it is necessary for compliance with a legal obligation, such as to determine a planning application.

Who we share your personal information with

Any planning application correspondence submitted to Planning at the Council may be shared with other organisations and other parts of the Council for the purpose of the planning process only. Copies may also be provided to third parties, such as the applicant, agent and/or consultees.

If you comment on a planning application, we will remove some personal details (your telephone number, e-mail address and signature) from the comment before sharing with other organisations or placing your comments on the website.

All information (including personal data) stored on our databases may be managed and hosted by a contract with an external provider.

We currently publish consultation or neighbour comments received on a planning application online on our website. We also share consultee comments and neighbour comments with the statutory consultees (as required as part of our public task). Where relevant, all correspondence received will be sent to the Courts or the Local Government and Social Care Ombudsman (LGO) in the event of a legal challenge or complaint to the LGO.

Applicants and agents should note that all information submitted as part of the planning application will be made publicly available and will be shared with third parties where necessary, including statutory consultees, neighbouring properties and any other parties at the Council's discretion.

Any information which the applicant or agent does not want to be available in the public domain should not be included as part of the planning application. Individuals commenting anonymously on planning applications will have their views taken into account but may not be given the same weight as those who provide a name and address.

Your rights

Under the UK GDPR you have a number of rights which you can access free of charge which allow you to:

- know what we are doing with your information and why we are doing it;
- ask to see what information we hold about you (subject access request);
- ask us to correct any mistakes in the information we hold about you;
- object to direct marketing;
- make a complaint to the Information Commissioner's Office (ICO).

Depending on our reason for using your information you may also be entitled to:

- object to how we are using your information (where your information is necessary for the performance of a public task in the public interest);
- stop us using your information in certain ways.

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, [see the guidance from the ICO](#) on individuals' rights under the UK GDPR.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have a Personal Data Breach Response Plan in place to deal with any suspected personal data breach. If there is deemed to be a high risk personal data breach, the Council has 72 hours in which to notify the ICO.

Contact

You can contact our Data Protection Officer at data.protection@hart.gov.uk or write to: Data Protection Officer, Hart District Council, Harlington Way, Fleet, GU51 4AE.

To make a complaint about how the Council has handled your personal information, you can contact the ICO by e-mailing casework@ico.org.uk, calling 0303 123 1113 or visiting ico.org.uk.

Please read our overarching [Privacy statement](#).