

General Data Protection Regulations: Planning Privacy Notice 2018 And Planning Charter

We are the planning department for Enfield council. This document explains how we operate and 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

If you have questions about data or privacy contact our data protection officer at complaintsandinformation@enfield.gov.uk or our planning team at development.control@enfield.gov.uk

Privacy Policy Information for applicants making a planning application

How we get your information

We get applicant information in two ways – it is supplied to us directly (or via a planning agent on their behalf) or we receive it from a third party website that provides a transaction service. These include:

- The Planning Portal
- iApply

We also receive correspondence by email and post.

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 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.

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”.

How we share your information

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 through our planning register 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.

We occasionally also send out a follow-up “how did we do?” survey to a sample of people using our service to see how we can improve it.

Redaction (‘blanking things out’)

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

- Personal contact details for the applicant - e.g..telephone numbers, email addresses 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 a statement submitted with the application.

Retention (‘how long we keep your information for’)

We process many different types of information according to our retention policy. A brief summary of long we keep things before they are destroyed:

- Statutory registers (eg planning decisions, approved plans, legal agreements) – for ever
- Supporting documents – 6 years for committee decisions, 4 years for officer decisions
- Planning Officer reports – 10 years
- Representations, letters, general correspondence – 4 years

Complaints and problems

Making decisions on planning matters is a public task and you do not have the right to withdraw consent. However if you think we have got something wrong or there is a reason you would prefer for something to not be disclosed please ask us by emailing development.control@enfield.gov.uk.

If you need to make a complaint specifically about the way we have processed your data you should in the first instance contact our data protection officer at complaintsandinformation@enfield.gov.uk. If we fail to respond properly you can direct your concerns to the Information Commissioners Office.

Our Charter Aims for planning applicants – How we process your application

We will check you have submitted the information to enable the Council to make a decision on your proposals. You need to submit the information set out in the National and Local list of planning application requirements. If anything is missing, or information is incorrect, your application will be invalid.

- We aim to check if your application complies with the requirements within 5 working days of receipt. If everything needed to consider your proposal has been received, we will send you a letter confirming validation, a receipt for your fee and giving you the date by which you should expect to receive a decision.
- We will update the planning on-line register within 5 days of sending your acknowledgement letter to show the planning officer for your application.
- If further information is needed, we aim to notify you (or your agent if you are using one) within 7 working days explaining the information needed to complete your application. We will tell you who is dealing with this stage of your application. If you have given an email address, we will contact you this way.
- Online applications received from the Planning Portal without payment of the fee, where required, will **not** be checked until payment is received.
- If you correspond with us by email, we will acknowledge receipt within 2 working days and aim to respond to your query within 8 working days. If this is not possible, we will notify you of the likely timescale for response. Our email address is development.control@enfield.gov.uk
- We aim to respond to telephone messages within 2 working days.
- We will treat our customers with fairness and in a polite and professional manner and expect our customers to treat us in the same way.

Privacy Policy Information for neighbours and interested parties

Your views and comments are important and can help us in deciding the outcome of the planning application.

How we get your information

We receive comments, representations, allegations and questions via email, letter, and through our online platforms, Enfield Connected and the planning online register.

How we use your information?

We need to know your address so we can understand how the proposed development affects your property. For this reason, we do not accept anonymous comments. The planning officer's report will identify your property and include a summary of your comments to explain how the issues were considered. This report will be available online through our planning register once the decision has been made.

Your comments will also be shared with the Planning Inspectorate if the applicant appeals against our decision and may be shared with the Local Government Ombudsman in the event of a judicial review or the Greater London Authority where they have the right to make a decision over that of the Council.

How long do we hold your comments for?

We store your comments on our Idox Document Management System and are required to hold the information you provide for a period of 4 years from the date of the decision. This is governed by The Local Government Act 1972 and the Openness of Local Government Bodies Regulations 2014.

Who can see your comments?

We are required by law to make responses and views available for inspection by anyone interested in the application; this includes the Applicant. If you comment using our online register, your name, address and comments will be visible, however all other personal data such as your telephone number or email address (which are not required) will be automatically protected by our security settings. At the present time, we do not publish on our website any comments received.

Complaints and problems

Making decisions on planning matters is a public task and you do not have the right to withdraw consent. However if you think we have got something wrong or there is a reason you would prefer for something to not be disclosed please ask us by emailing development.control@enfield.gov.uk.

If you need to make a complaint specifically about the way we have processed your data you should in the first instance contact our data protection officer at

complaintsandinformation@enfield.gov.uk If we fail to respond properly you can direct your concerns to the Information Commissioners Office.

Our Charter Aims for neighbours and interested parties

We will send notification letters to neighbours who directly adjoin an application site where planning permission is applied for. There are some exceptions to this and further information is given at the end of this section.

- We are not able to acknowledge any comments received, however, we will take them into account during the decision process. An outline of comments received are included within the planning officers report and this is available through our online planning register once the application has been decided.
- If you have made comments on a planning application that is to be considered by the Planning Committee, we will advise you of when and where the meeting will be held.
- A copy of the decision notice will be published through the online planning register. If you have registered as a user of our online register and have selected 'track' for the application you are interested in, you will receive a notification by email of when the decision is made.

Some planning applications, due to their nature or size may also be publicised in the local press and notices may be displayed within the vicinity of the application site.

Instances where neighbours are not consulted

Applicants may make an application to the Local Planning Authority for confirmation that their proposed works are permitted development and do not need planning permission. These applications are known as Certificates of Lawful Use or Development.

These applications are considered on policy grounds, and the views of 3rd parties cannot influence the final decision. For this reason, neighbours are not consulted.

Non-material minor amendments to previously approved proposals now require the submission of an application. However, it is not normal procedure to notify neighbouring properties, or those who made representations on the original application, that a Minor Amendment application has been made.

These applications will be displayed on Public Access and the submission documents available to view.

Planning Decisions

Once an application has been validated and consultation letters have been sent, it will be passed to the planning officer. Consideration of applications can be a complex task dependant on the nature of the proposed works. **All correspondence and discussion will be undertaken with the Agent, where there is one.**

- The statutory target for deciding most minor planning applications is 8 weeks from the validation date. For more complex or larger applications, this target is increased to 13 weeks and for applications where an Environmental Impact Assessment is required, the target is increased to 16 weeks.
- The planning officer will aim to visit the site within 4 weeks of the acknowledgement letter being sent. Once the 21 day consultation period has expired, an assessment of the proposal will be undertaken. Contact with the planning officer to establish progress should not therefore be necessary until 5 weeks following receipt of your acknowledgement letter.
- The planning officer will contact you to discuss any amendments to submitted planning applications where proposals require minor revisions to achieve acceptability. A “minor revision” will be an alteration which does not require further consultation with neighbours or other statutory consultees.
- When a revision is required, the case officer will aim to identify this at least 10 working days prior to the expiry of the 8 week statutory period (Week 8).
- Where we have not be able to contact you to discuss a minor revision, the application may be allowed to run beyond the statutory 8 week or 13 week period. This does not affect your statutory right of appeal.
- Where the Local Planning Authorities concern about the proposed development is more fundamental requiring substantive revision, the application may be determined without entering into discussions with either the Agent or the Applicant.
- Where the proposal is acceptable, the decision will be reached without contact with either the Agent or the Applicant.
- We aim to issue the decision notification within 3 working days of decision by the Decisions Manager or Principal Officer.
- We aim to issue decisions made by the Planning Committee within 7 working days of the committee meeting. If the decision is subject to a referral process or a legal agreement, we will confirm this in writing within 7 working days of the

committee meeting.

- Planning Officers will aim to respond to emails received in respect of planning applications within 5 working days (subject to officer availability).
- We aim to respond to telephone messages within 2 working days (subject to officer availability).
- We will treat our customers, applicants and agents with fairness and in a polite and professional manner in accordance with the Royal Town Planning Institute and Enfield Council's Code of Conduct and expect our customers to treat us in the same way.
- All contact relating to the planning application should be made in the first instance with the Planning Officer. The planning officer dealing with the application can be found through the online register under the further information button. Email planning.decisions@enfield.gov.uk marked for the case officers attention.
- If you have any queries regarding this Charter or our performance, please contact the Operational Support Team Leader at development.control@enfield.gov.uk.

Dated: 25 May 2018

