



Planning and Building Control Applications Privacy Notice

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(Planning and Building Control Applications Privacy Notice)

Wigan Council (“a data controller”) is committed to protecting the privacy and security of your personal information.

The Planning and Building Control application process is governed by legislation and must adhere to a series of regulations and procedures. As part of these processes, we receive a range of documents from applicants or agents acting on their behalf and from contributors offering their views on applications. These contributions can be from official bodies that we have consulted, and/or from members of the public.

In order to carry out development, it is necessary to check with the Development Management Team as to whether a proposal requires planning permission and approval under the Building Regulations.

We have a legal duty to create and maintain a public register of planning applications.

Where appropriate, we redact (remove) the following applicant details from the planning application forms before they are published online – signature; e mail address & telephone number.

Our core obligations under the general data protection regulations (GDPR) and commitments are set out in the [Council’s primary privacy notice](#).

This notice provides additional privacy information for:

- Applicants
- Agents
- Statutory and Non Statutory Consultees
- The Planning Inspectorate.

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

- Before, during and after your relationship with us ends and
- 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 so that you are aware of how and why we use your personal information.

We collect Special Information:

The law treats some types of personal information as 'special' because the information requires more protection due to its sensitivity. This information consists of:

- Racial or ethnic origin
- Sexuality and sexual life
- Religious or philosophical beliefs
- Trade Union membership
- Political opinions
- Genetic and bio-metric data
- Physical or mental health
- Criminal convictions and offences.

Purpose(s)

The main purposes for processing your personal information are:

- To exercise our statutory functions as the Local Planning Authority and the Building Control Authority.

Categories of personal data

In order to carry out activities and obligations as the Planning Service we process personal information in relation to:

- Personal contact details such as name, title, addresses, telephone numbers, and personal email addresses
- Personal demographics (including date of birth, gender, marital status, civil partnerships)
- Contact details such as names, addresses, personal e-mail address, telephone numbers
- Bank account details, payroll and tax/national insurance status information.

Special Categories

We may also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions (including ensuring meaningful equal opportunities monitoring and reporting)
- Offences (including alleged offences), criminal proceedings, outcomes and sentences.

The legal bases we rely on for processing your personal information are:

- Town and Country Planning Act 1990

- Building Act 1984.

If you we intend to use your information beyond legal obligations or to exercise specific rights. We will seek your consent to process your information and full guidance will be provided.

AUTOMATED DECISION-MAKING

All the decisions we make about you involve human intervention.

COOKIES

To find out how we use cookies please see our cookie notice.

DATA SHARING

In addition to the general reasons for information sharing described in the Council's primary privacy notice we may also share your information with the Planning Portal; Planning Inspectorate; Idox Software Ltd, statutory and non-statutory consultees and specialist technical advisors appointed by the Council.

As part of the consultation process, we may also collect or receive information from external parties such as:

- There are potentially dozens of these – do we need to list them all?

DATA RETENTION

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any future legal, accounting, or reporting requirements.

We must continue to retain necessary information in accordance with our corporate records policy to fulfil legal, statutory and regulatory requirements.

RIGHTS OF ACCESS, CORRECTION, ERASURE, AND RESTRICTION

- You have the right to ask for your information and there will not be a charge for you to do so. This is known as a [subject access request](#) and we act in accordance with this policy
- To ask for your information to be corrected if it is inaccurate or incomplete
- To ask for your information to be deleted or removed where there is no need for us to continue processing it. (right to be forgotten)
- To ask us to restrict the use of your information
- To ask us to copy or transfer your information from one IT system to another in a safe and secure way without impacting the quality of the information
- To object to how your information is used
- To challenge any decisions made without human intervention (automated decision making).

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is in our view unreasonable or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

RIGHT TO WITHDRAW CONSENT AT ANYTIME

Where the legal reason for processing your personal information is based on your consent, you have the right to withdraw your consent at any time, without affecting the lawfulness of our processing prior to the withdrawal of your consent.

If you do not provide consent, we may not be able to perform the contract we have entered into with you (add details), or we may be prevented from complying with our legal obligations (such as to add details).

If you wish to withdraw consent you (add in contact details) in writing who will process your request within 14 days.

YOUR RIGHTS

In addition to the above you have legal rights in relation to your personal information.

You have a right to be informed about how and why your personal information is being processed. This notice fulfils that obligation.

Full details are contained within the [Council's Primary Privacy Notice](#) and should be read before consenting to this document.

To ask for access to your information you should contact planningrepresentations@wigan.gov.uk or refer to subject access request on website

DATA PROTECTION OFFICER

If you wish to raise a concern or discuss any aspect of this notice please contact our [Data Protection Officer](#).

If you are unhappy with the way that we handle your concern you may complain to the [Information Commissioners Office \(ICO\)](#) at:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113

The Information Commissioners Office deals with concerns and complaints relating to data protection (GDPR) and freedom of information legislation.

CHANGES TO THIS PRIVACY NOTICE

We may update or revise this privacy notice from time to time and will provide supplementary privacy information as is necessary.