

Privacy Notice – Planning and Building Service

Who we are

We are the Planning and Building Service for Test Valley Borough 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
- Providing advice on pre-applications
- Responding to allegations of unlawful development
- Monitoring development
- Entering legal agreements, serving notices and promoting the best use of land
- Tree applications, inspections and issuing of Tree Preservation Orders
- Notifications of dead and dangerous trees
- Building Regulation applications and other building control matters

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 comments, representations, allegations and questions via email, letter, and through our Planning Online service, My Test Valley and LABC Site Inspection app.

What we do with your information

To allow us to make decisions on applications and other matters, 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). Where we process special category data in this context it will be on the legal basis of ‘substantial public interest’.

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 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.

Redaction ('blinking 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 - eg. telephone numbers, email addresses;
- Personal contact details on third party representations/comments – eg. telephone numbers, email addresses;
- Signatures;
- Special Category Data - eg. 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 advance of submitting the application. The best way to contact us about this issue is by emailing planning@testvalley.gov.uk. We will then consider the information provided and inform you whether we believe this should be made publicly available or not.

Retention ('how long we keep your information for')

We process many different types of information according to our Retention Policy. The information you submit will not be kept for any longer than is needed. The length of time will depend upon whether the Council has business need for keeping the information and/or if the law requires that we keep the information for a particular length of time. A brief summary of how long we keep things before they are destroyed is as follows:

- Statutory registers (eg planning/tree applications, decisions, approved plans, legal agreements) – retained permanently
- Third party representations – 7 months from date of decision
- Letters, general correspondence – 3 years from date of decision

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 planning@testvalley.gov.uk

Test Valley Borough Council is the Data Controller for the purposes of data protection legislation. The Data Protection Officer is Mrs Karen Dunn. In the event that you wish to complain or contact the Council regarding any aspects of how your information is handled please direct your complaints or queries to: The Data Protection Officer DPO@testvalley.gov.uk, or Beech Hurst, Weyhill Road, Andover, SP10 3AJ. You also have the right to complain to the Information Commissioner. <https://ico.org.uk/>