

# London Borough of Camden Planning Privacy Notice

This privacy notice explains how the London Borough of Camden will use information submitted to it in the course of its work as local planning authority. The work undertaken by the service includes:

- Making decisions and providing advice on planning applications
- Entering into S106 legal agreement
- Making planning policies
- Working neighbourhoods on their plans
- Working with neighbouring authorities on strategic policies
- Responding to allegations of unlawful development
- Monitoring development
- Taking enforcement action

If you have any questions about Camden's approach to data or privacy please contact the Data Protection Officer.

**The name and contact details of the data controller:**

London Borough of Camden, Judd Street, London. WC1H 9JE 020 7974 4444.

**The name and contact details of the Data Protection Officer:**

Andrew Maughan, Borough Solicitor, [dpo@camden.gov.uk](mailto:dpo@camden.gov.uk)

## 1. How we get your information

The Council receives information related to its planning functions in several ways. It is either supplied to us directly (or via a consultant or agent on behalf of an applicant) or from a third party website that provides a transaction service (such as The Planning Portal and iApply).

We also receive information from individuals or organisations raising a complaint or query, or from another agency.

We receive applications, comments, representations, allegations and questions via email, letter, and through the Council's website.

## 2. How we use your information including Personal and Special Category Data

We will use details/information you have provided to undertake our functions. The information we use is set out below and may include personal and special category data:

- Name, address, contact details of applicants and any agents (including telephone numbers and email addresses).
- Bank details and payment information to process application, pre-application advice and other fees, as well as to refund fees where appropriate
- Photographs of the planning site/adjacent buildings/locality.
- Details about the property (including full address), its use, history and plans showing internal layouts.
- Documentary evidence as part of a lawful development certificate or enforcement investigation, including but not limited to sworn statements, utility bills and tenancy information.
- In a small number of circumstances individuals will provide us with “special category data” such as health or disability information or other personal information in support of their application (e.g. evidence of medical history) or in response to a contact about e.g. enforcement.
- Views about planning matters, specific applications or allegations.

### **3. What we do with your information**

a. We use information for these purposes:

- making decisions on all applications to be determined by the Local Planning Authority including for full planning applications, householder application, prior approval applications, certificates of lawful development, advertisement consents, listed building consents, notification of and approval of applications for works to protected trees, amongst others.
- to publicise applications in various ways to seeks comments and information from statutory and non-statutory consultees residents, businesses and local stakeholders.
- to assess proposals at pre-application stage in consultations with statutory and non-statutory consultees and provide pre-application advice.
- responding to allegations of unlawful development, investigating and undertaking enforcement action which includes servicing notices and undertaking prosecutions and other enforcement action.
- making planning policies.
- working with neighbourhoods on their neighbourhood plans.
- working with neighbouring authorities on strategic policies.
- monitoring development.
- entering into S106 legal agreements,
- serving enforcement notices, and taking necessary enforcement action
- to seek your feedback on the service following determination of your application to allow for improvements.

Some information provided to us we are obliged under planning law to make available on the planning and local land charges register. This is a permanent record of the councils’ planning decisions that form part of the planning history of a site, along with other facts that form part of the “land search”. The planning register includes all documents submitted with the planning application including the planning application form, supporting reports and any comments received in respect of that application. We

will make details of planning applications available online so that people can make comments.

We routinely publish comments we receive on planning applications on the Council's website and this will include the name and address of objectors and/or supporters of planning applications. Before we publish this information, we remove any other personal or special category information. ([Find out what is special category information](#).) See 'redaction' below for more information.

**b. What information is mandatory for you to provide and the consequences of not providing the information, and whether giving Personal Data is part of a statutory or contractual requirement or obligation.**

To allow the council to make decisions on their applications individuals must provide us with some personal data (e.g. name, address, contact details).

Some information provided to us we are obliged under planning law to make available on planning registers. This is a permanent record of the councils' planning decisions that form part of the planning history of a site, along with other facts that form part of the "land search".

**c. Redaction ('blinking things out')**

Our policy is we will routinely redact the information below before making forms, documents and any representations available online. Sometimes we might decide it is necessary, justified and lawful in particular circumstances to disclose data that appears in the list below. In these circumstances we will let you know of our intention before we publish.

Information we routinely redact:

- telephone numbers, email addresses for the applicant or person making the representation.
- Signatures.
- Special Category Data - supporting statements that include information about health conditions or ethnic origin.
- Other information agreed to be confidential. Please see below.

**d. Requests for special consideration:**

If you are submitting supporting information that does not appear in the above list which you would like to be treated confidentially or wish to be specifically withheld from the public register, then please ask us as soon as possible and ideally in advance of submitting the application or comment. The best way to contact us about this issue is by emailing [planning@camden.gov.uk](mailto:planning@camden.gov.uk) You will need to give clear reasons why your information exceptionally should not be published. A request for privacy will not be agreed to unless there is an exceptional reason. A non-

exhaustive list would be: domestic violence survivor where ex-partner should not track their whereabouts/witness protection/occupation where address would put at risk (e.g. senior police or armed forces, politician, notable public person). Information to verify a request may be requested and each case will be treated on its own merits.

## **4. How we share your information**

### **a. General**

We do not sell your information to other organisations. 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.

We will share information with other parts of the council as necessary for the council to undertake its roles as a public authority. We will share information with other agencies such as central government, other councils, the DWP, HMRC, HMLR etc as necessary.

We will share information with the Planning Inspectorate as necessary. Information may be shared with other parties in appeals and prosecutions.

Except as detailed in processors below, we do not move your information beyond the UK/EU/EEA

### **b. Processors**

**The council has some processors who undertake various works for us.**

These include:

- Commonplace who undertake consultations. They have sub-processors some of whom process some data outside the UK and EU. The list is available [Sub-processors \(commonplace.is\)](https://www.commonplace.is)

## **5. Retention ('how long we keep your information for')**

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

- statutory registers (eg planning decisions, approved plans, legal agreements) – for ever
- supporting documents, reports – 6 years for committee decisions, 4 years for officer decisions
- representations, letters, general correspondence – 4 years

- Enforcement investigation – any information, correspondence, photos, plans – in perpetuity

## 6. Your Data Subject Rights, Complaints and problems,

Making decisions on planning matters is a public task/legal duty as explained in the legal basis section and so you do not need to consent to or give us permission to use your data. This means that we will publish information as explained in this privacy notice and we do not need your consent/permission/agreement to do so. However if you think we have got something wrong or there is a reason you would prefer for something to not be disclosed, having read the guidance in this notice, please ask us by emailing [planning@camden.gov.uk](mailto:planning@camden.gov.uk)

You have various rights around your data such as the right to request a copy of the information we hold about you, the right to ask us to rectify, erase or restrict processing of your data, and if we are relying on consent (which we are not for this area) the right to withdraw consent at any time. There are some exemptions to these rights. Please see our website <https://www.camden.gov.uk/your-rights> and the ICO website <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/exemptions/> for more information. To exercise these rights please use our web form <https://forms.camden.gov.uk/cus/servlet/ep.app?ut=X&type=84839769883&auth=100001301>

You can complain to the Information Commissioner's Office if you are unhappy with how the council has handled your personal data. You can contact the ICO at Telephone: 0303 123 1113 , live chat [www.ico.org.uk/global/contact-us/live-chat/](http://www.ico.org.uk/global/contact-us/live-chat/) or webform [www.ico.org.uk/global/contact-us/](http://www.ico.org.uk/global/contact-us/) It would be helpful if you contacted us first at [dpo@camden.gov.uk](mailto:dpo@camden.gov.uk) to see if we can resolve the problem.

**Automated decision Making and Profiling.** We are not using automated Decision Making or profiling to process your Personal Data. Note: Automated Decision Making is where a computer makes the entire decision and there is no human involvement at all. Profiling is where there is automated processing which is intended to evaluate certain personal aspects of an individual, in particular to analyse or predict their behaviours, reliability etc.

## 7. Legal Basis

For all the processing above the legal basis is:

- Personal data article 6(1)(c) legal duty and 6(1)(e) public task.
- Special category data Art 9(2) (g) Reasons of substantial public interest (with a basis in law) and the Data Protection Act 2018 Schedule 1 Part 2 condition being Para 6. Statutory and government purposes; and for legal action Art 9(2) (f) Legal claims or judicial acts
- Criminal offence data – art 6 as for personal data and Data Protection Act 2018 schedule 1 condition being the same as for special category data.

**The laws underpinning all the processing are: Town and Country Planning Act 1990, The Town and Country Planning (General Permitted Development) (England) Order 2015, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Planning (Listed Buildings and Conservation Areas) Act 1990, The Town and Country Planning (Tree Preservation)(England) Regulations 2012**

### **Law Enforcement Processing:**

The council as local planning authority can prosecute for a variety of offences. Examples are failing to comply with an enforcement notice, unauthorised demolition in a conservation area, unauthorised works to a listed building and the display of an unauthorised advertisement and unauthorised works to protected trees.

When processing data for this purpose the council is acting under Part 3 of the Data Protection Act 2018 as a competent authority.

Legal basis for personal data is under s35 Data Protection Act 2018 that it is necessary for the performance of a task carried out for law enforcement purposes by a competent authority. The laws are those listed for non-law enforcement data processing.

For sensitive data (the Part 3 term for special category data) the Data Protection Act 2018 schedule 8 condition is para 2 necessary for the administration of justice and para 6 necessary for legal claims.

### **8. Review**

We will keep this Privacy Notice updated as needed. It was last reviewed in February 2025