

Development Management & Enforcement Privacy Notice

Version 3.1

This privacy notice applies to the Development Management & Enforcement service provided by Worcestershire County Council and should be read in addition to Worcestershire County Council's [Full Privacy Notice](#), and [Planning Policy Privacy Notice](#).

You may also wish to refer to the Planning Inspectorate's [Privacy Notices](#).

The privacy notice will cover:

- [Purpose for processing](#)
- [Personal information collected and lawful basis](#)
- [Who we may share your information with](#)
- [How long we will hold your information](#)
- [Your information rights](#)

Purpose for processing

The services process personal information in order to manage and administer the Development Management & Enforcement service either directly or jointly with partners and commissioned private and third sector providers. This includes:

- Providing pre-application planning advice and assistance
- In order to deliver planning services such as processing planning applications
- To deal with planning appeals
- To monitor developments
- To take enforcement action

Personal information collected and lawful basis

The service processes personal information which is relevant to individual cases which may include, but is not limited to, the following personal data:

- Basic personal information such as name, address, telephone number, email address and signatures
- Financial information
- Any other information provided in support of a planning application or planning appeal
- Information in connection with an enforcement case which could include evidence such as photographs with car registration details

Where the Council make a video recording of, or live-stream any appeal hearing or public inquiry, we will collect, store, and use the following categories of personal information about you:

- Your voice will be recorded if you participate in the appeal hearing or public inquiry
- Your image will also be recorded if you participate in-person at the appeal venue, or if you use a video feed to participate in the appeal hearing or public inquiry remotely
- Your image may also be recorded if you are physically present at the appeal venue to observe the appeal hearing or public inquiry
- Participants names will be recorded and shown on the video wall during the appeal hearing or public inquiry

The legal bases for processing this personal information are:

- Necessary for compliance with a legal obligation to which the controller is subject (UK GDPR Article 6(1)(c))
- Necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (UK GDPR Article 6(1)(e))
- Consent of the Data Subject (UK GDPR Article 6(1)(a))

We process personal data to deliver public tasks outlined in the follow pieces of legislation:

- The Town and Country Planning Act 1990
- The Planning and Compensation Act 1991
- The Planning and Compulsory Purchase Act 2004
- The Planning Act 2008
- The Housing and Planning Act 2016
- The Planning (Listed Buildings & Conservation Areas) Act 1990
- The Localism Act 2011
- The Highways Act 1980
- The Environment Act 1995
- The Environmental Protection Act 1990
- The Wildlife and Countryside Act 1981
- The Countryside and Rights of Way Act 2000
- The Levelling Up and Regeneration Act 2023

Who we may share your information with

We may need to share the personal information you have given to us or we've collected about you with partner organisations where relevant to the individual and/or their service provision. These include but are not limited to:

- Statutory bodies and consultees
- The Planning Inspectorate (PINS)
- Other public bodies, including the courts and tribunal service
- Government agencies
- External auditors and regulators (such as the Local Government Ombudsman)
- Applicants
- Agents working on behalf of applicants
- Third parties working on behalf of the County Council

Information will only ever be shared when it is strictly necessary to help us provide effective services and you may have the right to refuse. We will not pass it onto any other parties unless required to do so by law or in all reasonable circumstances the disclosure is fair and warranted for the purposes of processing or subject to a data protection exemption.

We have specific data sharing agreements in place with local agencies and sometimes the law requires that we may have to pass your details on to a third party, for example, to prevent crime.

If you wish to participate in a planning appeal, the names of those invited and participating are likely to be heard or viewable by others taking part in or observing the appeal hearing or public inquiry. This data will also be shared with any member of the public or interested party that listens to, or views, any live-stream or recording of the appeal hearing or public inquiry.

How long we will hold your information

We will only keep your information for the minimum period necessary:

- Pre Planning & Post Planning Application Advice records – 12 years
- Planning Enforcement records – 10 years
- Consultation Processing records – 6 years
- Appeals records – 6 years
- Complaint investigation records – 10 years
- Unsuccessful application records – 10 years
- Minerals Planning, Monitoring Waste Site and Waste Management Sites records – permanent
- Any recordings of appeal hearings or public inquires – 14 days

Live-streaming and recordings of appeal hearings and public inquiries (where this takes place) shall be uploaded to the Council's website and / or YouTube channel or third-party website and / or YouTube channel on the Council's behalf, and shall only be held for 14 days from the date of the live-stream / recording. This is considered proportionate to balance making the appeal hearings and public inquiries more transparent and accessible to residents, local businesses and stakeholders, enhancing public engagement; and the need to keep your information for the minimum period necessary.

The information outlined in this privacy notice will be kept in accordance with our retention schedule. All information will be held securely and destroyed under confidential conditions.

More information about our retention periods can be found in our [Disposal Schedule](#).

Please note stated retention periods may be subject to any legal holds imposed under the Inquiries Act 2005 that may concern the information and override standard retention periods.

Your information rights

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You are entitled to a copy, or a description, of the personal data we hold that relates to you, subject to lawful restrictions. Please go to our [Make a Data Protection Request webpage](#) to find out how to make a request.

You may be entitled to a number of rights under data protection law, including the right to request your information and to request that the information be amended or erased if incorrect depending on the service and legal basis. Please in the first instance contact Development Management at: devcontrolteam@worcestershire.gov.uk

Or call the Planning Team on [01905 763763](tel:01905763763).

Please see our overarching Privacy Notice (<http://www.worcestershire.gov.uk/privacy>) for further contact details and if you have a complaint about your information rights.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on this web page. This Notice was last updated on 16 December 2024.