



# Dfi & NI Councils' Planning Privacy Notice

The Department for Infrastructure (Dfi) and 10 of the 11 Northern Ireland Councils, excluding Mid Ulster (Mid Ulster have their own privacy notice [click here](#)) are joint Data Controllers under the UK General Data Protection Regulation (UK GDPR), and the Data Protection Act 2018, for the personal data gathered to enable the processing of; applications for any Planning permission, consent, approval or determination; enforcement cases; or Tree Preservation Order requests.

## Why are you processing my personal information?

- To enable us to process applications for any Planning permission, consent, approval or determination;
- To investigate enforcement complaints;
- To consider and process Tree Preservation Orders;
- To consider public representations on Planning Applications;
- To ensure compliance with applicable laws and regulations;
- To notify you about changes to our services;
- To answer any of your questions;
- To notify you of the outcome of decisions;
- To allow Audit reviews or investigations to be carried out;
- Dfi and Councils may also process the information for research purposes carried out in the public interest. For example to improve services and carry out statistical analysis.

Please note that when you submit a planning application the information, including plans, maps and drawings, along with other associated documentation (with the exception of personal telephone numbers, signatures, email addresses or sensitive personal data), will also be published on the Planning Portal through the Planning Register (<https://planningregister.planningsystemni.gov.uk>).

The 10 Northern Ireland Councils use a shared publication policy which explains what information will be published on the Planning IT System. If you are submitting information to any of the 10 Councils, please read Council's publication policy below:



Planning  
Publication Policy.doc

The Department for Infrastructure has its own publication policy. If you are submitting information to DFI, please read DFI's publication policy below:

## Lawful Basis for Processing

You are providing your personal data to us and our lawful basis for processing is exercise of a task carried out in the exercise of official authority under the Planning Act (NI) 2011 and related subordinate legislation. The lawful basis for such processing under UK GDPR is Article 6(1)(e) - the performance of a public task carried out in the public interest.



There is potential for medical information to be processed. Medical information is special category data, and therefore for these instances the following lawful bases are relied upon:

- Article 9(2)(g) of the UK GDPR - Reasons of substantial public interest (basis in Planning Act NI); and
- Part 2 of Schedule 1, 6 of the DPA 2018 - Statutory and government purposes.

Planning Authorities may also process the information for research purposes carried out in the public interest. For example to improve services and carry out statistical analysis. Where the processing of special category data is required for these purposes, the following lawful bases are relied upon:

- Article 9(2)(J) of the UK GDPR - Archiving, research and statistics; and
- Part 1 of Schedule 1, 4 of the DPA 2018 - Statutory etc. and government purposes

### **What categories of personal data are you processing?**

- Personal Information: Name, address, phone number, email address and signatures. In some cases we will hold financial information such as Bank statements, invoices, utility bills in support of an application, as well as Legal and Commercial information if appropriate.
- Special Category – Sensitive information including Health data / Medical details where it relates specifically either to a Planning Application or in objection to a Planning Application. **Please note Special Category data will NOT be published on the internet. See the relevant publication policy on page 1.**

### **Where do you get my personal data from?**

We get personal data from you when you apply for a planning application or Tree Preservation order, when you make an objection or declare support for a planning application, or when you make a planning complaint. We also collect your data:

- When you use the website and our services (such as your name, address and contact details);
- as part of our online registration process (such as your email address); and
- Details of transactions you carry out through our website and in the processing of an application;
- Personal information about you may be received as part of the investigation of an enforcement complaint from sources other than the data subject, such as from a complainant, or obtained as part of the investigation. Only information required for the purposes of investigating the complaint will be processed, and such information will in accordance with the UK GDPR, the Data Protection Act 2018, the Environmental Information Regulations 2004 and/or the Freedom of Information Act 2000.

### **Do you share my personal data with anyone else?**

Your information will be held by DfI and the Councils. Your personal data will not be shared or disclosed to any other organisation without your consent unless the law permits or places an obligation on us to do so. No personal information you give us will be used for commercial purposes.



- Information may be shared internally among officers and other agencies/government bodies who are involved in processing planning applications and where necessary between internal council or central departments with the purpose of supporting an effective delivery of service.
- We may share your personal data with other Government bodies and enforcement agencies for the prevention, investigation or detection of crime.
- All authorities have a contract with a third party service provider who support the day-to-day operation of our Planning Portal and we share access with them and their sub contactors.
- We may disclose or share information we have collected and processed with a third party if we are under a duty to do so or in order to comply with any legal obligation, or in order to enforce or apply our terms of use and other agreements; or to protect the rights, property, or safety of the Planning Portal, our customers, or others. This includes exchanging information with other companies and organisations for the purposes of fraud protection. If we transfer ownership or management of the website to a third party we may also transfer your data to them, provided they comply with UK GDPR requirements.

**Please note that your telephone number, email address and signature will not appear on the internet. Please see the relevant publication policy on page 1.**

### **The Planning Register**

The Councils are legally obliged<sup>1</sup> to make applications for any permission, consent, approval or determination publically available for inspection by means of a Planning Register that is currently available to view at the relevant Council office. This will contain the Applicant's and or Agent's personal details, including their name, address, and signature, and may contain email address and telephone number.

Planning enforcement information is not routinely made publically available. Only cases which have resulted in the issue of a formal Enforcement Notice will be made available on an Enforcement Register that is currently available to view at the relevant Council office. Any requests seeking information with regard to enforcement investigations or to view enforcement files will be treated under the relevant governing legislation i.e. Data Protection Act, Freedom of Information Act 2000, and Environmental Information Regulations 2004.

### **Do you transfer my personal data to other countries?**

Your information will not normally be transferred to other countries, however we may, as a matter of practice, have to share data with Planning Authorities in the Republic of Ireland in cases where a Planning application significantly impacts on a particular County in the Republic. Any data sharing will be in full compliance with all aspects of the DPA legislation and UK GDPR.

Any information published on the internet will be available worldwide.

### **How long do you keep my personal data?**

Personal Data is held and stored in line with our Records Retention and Disposal Schedule. Individual authorities may return sensitive data and or documents to the applicant/agent in advance of timescales outlined in the Records Retention and Disposal Schedule.

### **What rights do I have?**



- **Your right of access** - You have the right to ask us for copies of your personal information.
- **Your right to rectification** - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.
- **Your right to erasure** - You have the right to ask us to erase your personal information in certain circumstances.
- **Your right to restriction of processing** - You have the right to ask us to restrict the processing of your personal information in certain circumstances.
- **Your right to object to processing** - You have the right to object to the processing of your personal information in certain circumstances.
- **Your right to data portability** - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.
- You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

### **How do I complain if I am not happy?**

If you are unhappy with any aspect of this privacy notice, how your personal information is being processed, or what personal information we hold please contact the Data Protection Officer for the relevant organisation listed below.

If you are still not happy, you have the right to contact the Information Commissioner's Office (ICO):-

- **ICO website:** [www.ico.org.uk](http://www.ico.org.uk)
- **ICO self-service portal:** <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>
- **Helpline:** 0303 123 1114

### **Information / Computer Security**

#### **Use of cookies on Planning Portal NI**

When we provide services, we want to make them easy, useful and reliable. Where services are delivered on the internet, this sometimes involves placing small amounts of information on your computer, mobile phone or tablet. These are known as cookies. They cannot be used to identify you personally.

The Planning Portal website (<https://www.planningsystemni.co.uk/>) uses cookies which are small electronic files of letters and numbers that are transferred to your computer's hard drive through your web browser. This allows us to recognise your browser and help us to track visitors to our site; enabling us to understand better the products and services that will be most suitable to you.

#### **We use the following types of cookies:**

Strictly necessary cookies: These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website. These are placed



automatically when you first arrive at the site and as you navigate around it, including when you sign into our platform.

**Analytical or performance cookies:** These allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

**Functionality cookies:** These are used to recognise you when you return to our website and our platform. This enables us to personalise our content for you and remember your preferences (for example, your choice of language or region).

A cookie can contain your log in details and information to allow us to identify your computer when you travel around our site. This is used for the purpose of helping you access the necessary information to support your application and to improve your user experience.

### **How we use cookies**

We use cookies for a variety of reasons detailed below. Unfortunately, in most cases there are no industry standard options for disabling cookies without completely disabling the functionality and features they add to this site. It is recommended that you leave on all cookies if you are not sure whether you need them or not, in case they are used to provide a service that you use.

We do not automatically log or collect data apart from the information you specifically provide to us. For more information on our partner's privacy and cookie policies, please visit their individual websites.

### **Third party cookies**

Please note that third parties may also use cookies (which are likely to be analytical, performance or targeting cookies) over which we have no control. Some Planning Portal web pages may also contain content from other sites, which may set their own cookies, for example from media and advertising partners that are used to deliver advertising messages that are more relevant to you. Also, if you share a link to a Planning Portal page, the service you share it on may set a cookie on your browser. We have no control over third party cookies - you can turn them off, but not through our website.

On some of our web services we use tracking software, including Google Analytics, to collect and monitor visitor traffic and site usage for the sole purpose of helping us develop and improve the design and layout of the websites. This Information includes:-

- number of visitors to the site
- search terms used to find the site
- where visitors to the site have come from
- the pages visited on the website and how long is spent on each web page
- how many times an advert has been displayed and clicked on

These cookies collect information in an anonymous form. Google undertakes that it will not link your IP address with any other data held by Google.

To provide website visitors with the ability to prevent their data from being used by Google Analytics you can download and install the Google Analytics opt-out add-on for your web browser.



## The cookies we set

If you create an account with us, then we will use cookies for the managing the sign-up process and general administration. These cookies will usually be deleted when you log out however in some cases, they may remain afterwards to remember your site preferences when you have logged out.

We use cookies when you are logged in so that we can remember you. This prevents you from having to log in every single time you visit a new page. These cookies are typically removed or cleared when you log out to ensure that you can only access restricted features and areas when you are logged in to your account.

In order to provide you with a great experience using the Planning Portal we provide the functionality to set your preferences for how this site runs when you use it. In order to remember your preferences, we need to set cookies so that this information can be called whenever you interact with a page is affected by your preferences.

The table below details all the cookies that the Planning Portal NI uses:

| Cookie name                         | Description  |
|-------------------------------------|--|
| ai_session                          | Various cookies used by Microsoft's Application  |
| ai_user                             | Insight activity tracker to record anonymous user activity.  |
| cookie_preferences                  | Our own cookie, used to track the user's cookie preferences.   |
| _ga<br>_gid<br>_gac_gb              | Various tracking cookies for Google Analytics, used to distinguish users or persist session states. If you have linked your Google Analytics and Google Ads accounts, Google Ads website conversion tags will read this cookie unless you opt-out. <a href="#">Learn more.</a> |
| __gads<br>_gat_UI<br>NID<br>CONSENT | Various Google Ads cookies used to deliver advertising.  |
| x-ms-cipm-*<br>[various]            | Various Microsoft cookies used to support the secure log-in process, including user authentication.  |

## Analytics

HotJar: We use Hotjar in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users' experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and do not like, etc.) and this enables us to build and maintain our service with user feedback.

Hotjar uses cookies and other technologies to collect data on our users' behaviour and their devices. This includes a device's IP address (processed during your session and stored in a de-identified form), device screen size, device type (unique device identifiers), browser information, geographic location (country





only), and the preferred language used to display our website. Hotjar stores this information on our behalf in a pseudonymized user profile. Hotjar is contractually forbidden to sell any of the data collected on our behalf.

### **Disabling cookies**

Most Web browsers automatically accept cookies, but, if you wish, you can set your browser to prevent it from accepting cookies.

The 'Help' option in the menu on most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. You can prevent the setting of cookies by adjusting the settings on your browser (see your browser 'Help' for how to do this).

Be aware that disabling cookies can affect the functionality of this and many other websites that you visit. Disabling cookies totally will usually result in also disabling certain functionality and features of the Planning Portal. Therefore, it is recommended that you do not disable cookies unless you have a good understanding of the difference between first and third-party cookies.

For further information about cookies and how to disable them please go to the Information Commissioner's webpage: <https://ico.org.uk/for-the-public/online/cookies/>. This document describes what information the cookies that we use gather, how we use that information and why we sometimes need to store it. You can prevent cookies from being stored however this may downgrade or 'break' certain elements of the site's functionality and may adversely impact your ability to use our services.

For more information about cookies, visit: [www.allaboutcookies.org](http://www.allaboutcookies.org) or [www.aboutcookies.org](http://www.aboutcookies.org) By using our websites and agreeing to our Privacy Notice, you expressly consent to the use of cookies as described in this document.

### **Information and security**

Your attention is drawn to the fact that any information carried over the Internet is not secure; information can be intercepted, lost, redirected, changed and read by other people. Any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to mitigate unauthorised access and protect your personal data against unlawful processing, accidental loss, destruction and damage.

We have implemented security policies, controls and technical measures to protect the personal data that we have under our control from:-

- unauthorised access;
- improper use or disclosure;
- unauthorised modification; and
- unlawful destruction or accidental loss.

All our employees and processors who have access to and are associated with the processing of personal data, are obliged to ensure compliance with DPA and respect the sensitivities surrounding our customers' personal data.



We use leading technologies and encryption software to safeguard your data, and set strict security standards to prevent any unauthorised access to it.

### **Your rights and responsibilities**

Please ensure that the information you submit is accurate and correct. Do not include personal information about third parties (including family members) unless you have told the individual concerned and they agree to it being supplied.

Tell us as soon as possible if any of the personal information you have provided should change.

Where we have given you (or where you have chosen) a password which enables you to access certain parts of our website, you are responsible for keeping this password secure. You should not share this password with anyone.

Plans, drawings and material submitted to the council as part of a planning application may be protected by the Copyright, Designs and Patents Act 1988 (section 47) even if they have been available on the internet. You should only use planning application material which is downloaded and/or printed for consultation purposes, to compare current applications with previous schemes or to check whether developments have been completed in accordance with approved plans. Further copies must not be made without the prior permission of the copyright owner. The Department and Councils in making the documents available in line with a statutory requirement does not constitute permission for you to breach any copyrights that may exist on them.

You can find out more about how your personal data is processed by contacting the relevant Data Protection Officer below

- **Department for Infrastructure**

Data Protection Officer  
Clarence Court  
10-18 Adelaide Street Belfast  
BT2 8GB

Telephone: 02890 540075  
Email: [DFIGDPR@infrastructure-ni.gov.uk](mailto:DFIGDPR@infrastructure-ni.gov.uk)

If you have any queries about how local councils process your personal data please contact your local Council using the information below.





- **Antrim and Newtownabbey Borough Council**

Data Protection Officer  
Antrim Civic Centre  
50 Stiles Way  
Antrim  
BT41 2UB

Telephone: 028 9446 3113  
Email: [DPO@antrimandnewtownabbey.gov.uk](mailto:DPO@antrimandnewtownabbey.gov.uk)

- **Ards and North Down Borough Council**

Data Protection Officer  
Ards and North Down Borough Council  
Town Hall  
The Castle  
Bangor  
BT20 4BT

Telephone: 0330 013 3333  
Email: [dataprotection@ardsandnorthdown.gov.uk](mailto:dataprotection@ardsandnorthdown.gov.uk)

- **Armagh City, Banbridge and Craigavon Borough Council**

Data Protection Officer Name: Joan Farley

Old Armagh City Hospital  
39 Abbey Street  
Armagh  
Co Armagh  
BT61 7DY

Telephone: 02837 529600  
Email: [Joan.Farley@armaghbanbridgecraigavon.gov.uk](mailto:Joan.Farley@armaghbanbridgecraigavon.gov.uk)

- **Belfast City Council**

Data Protection Officer  
Belfast City Council  
Legal & Civic Services  
City Hall  
Belfast  
BT1 5GS

Telephone 02890 320202  
Email [dataprotection@belfastcity.gov.uk](mailto:dataprotection@belfastcity.gov.uk)  
Email: [records.managment@belfastcity.gov.uk](mailto:records.managment@belfastcity.gov.uk)



- **Causeway Coast and Glens Borough Council**

Data Protection Officer Name: Elizabeth Beattie

Causeway Coast and Glens Borough Council  
Cloonavin  
66 Portstewart Road  
Coleraine  
BT52 1YA

Telephone: 028 70347034

Email: [elizabeth.beattie@causewaycoastandglens.gov.uk](mailto:elizabeth.beattie@causewaycoastandglens.gov.uk)

- **Derry City and Strabane District Council**

Data Protection Officer Name: Damian McCay

Derry City and Strabane District Council  
Information & Customer Services Officer  
98 Strand Road  
Derry  
BT48 7NN

Telephone: (028) 71253 253 Ext 4310

Email: [damianmccay@derrystrabane.com](mailto:damianmccay@derrystrabane.com)

- **Fermanagh and Omagh District Council - Enniskillen Office**

Data Protection Officer Name: Louise Horner

Fermanagh and Omagh District Council  
Townhall  
2 Townhall Street  
Enniskillen  
Co Fermanagh  
BT74 7BA

Telephone: 0300 303 1777 extension 21189

Email: [dpo@fermanaghomagh.com](mailto:dpo@fermanaghomagh.com)

- **Lisburn and Castlereagh City Council**

Data Protection Officer Name: Michael Finney

Lisburn & Castlereagh City Council  
Civic HQ  
Lagan Valley Island  
Lisburn  
BT27 4RL

Telephone: 02894447493

Email: [data.protection@lisburncastlereagh.gov.uk](mailto:data.protection@lisburncastlereagh.gov.uk)



- **Mid and East Antrim Borough Council**

Data Protection Officer Name: Victoria Taylor

Mid and East Antrim Borough Council  
The Braid  
1-29 Bridge Street  
Ballymena  
BT43 5EJ

Telephone: 0300 1245 000

Email: [Victoria.taylor@midandeantrim.gov.uk](mailto:Victoria.taylor@midandeantrim.gov.uk)

- **Newry, Mourne and Down District Council**

Data Protection Officer Name: Edel Cosgrove

Newry, Mourne and Down District Council  
Downshire Civic Centre  
Downshire Estate  
Ardglass Road  
Downpatrick  
BT30 6GQ

Telephone: 0330 137 4461

Email: [Edel.Cosgrove@nmandd.org](mailto:Edel.Cosgrove@nmandd.org)