

Privacy & Cookies

Privacy Statement

This privacy notices provides information about the processing of personal information in appeals and other casework that you can make, or comment on, using the Appeals Casework Portal (ACP).

ACP [terms and conditions](#) separately provide information about how we use personal information if you register for an ACP account.

Who are we?

We are the [Planning Inspectorate](#), an executive agency, sponsored by the [Ministry of Housing, Communities and Local Government](#) (MHCLG) and, for casework in Wales, the [Welsh Government](#).

Under data protection legislation, we operate through our sponsor as the data controller (i.e. for casework in England we act as MHCLG as the data controller; for casework in Wales we act as the Welsh Government as the data controller).

Contacting us

If you have a query about the Inspectorate's processing of personal data then please contact the Inspectorate's Data Manager:
dataprotection@planninginspectorate.gov.uk

Alternatively, you can contact our respective sponsor Data Protection Officer directly. Please make clear that your query relates to the Planning Inspectorate):

- MHCLG: dataprotection@communities.gov.uk
- Welsh Government: dataprotectionofficer@gov.wales

How do we collect information?

The personal information that we use is provided to us by you, if you make or take part, in a case.

The local planning authority are also normally required to provide us with relevant information relating to the case – for instance on a planning appeal they will send us the representations that they received at the planning application stage.

What type of information do we collect?

Typically, the personal information will be your name and contact details plus any other personal information (if any) that you provide in your representation. Occasionally, your representation may also include special category personal information, for instance where you are providing information regarding your personal circumstances that you want to be considered.

How is that information used?

The information provided to us is used to determine the case.

The Planning Inspectorate publishes detailed casework guidance (with separate guidance for casework in [England](#) and [Wales](#)). This includes guides to making and taking part in particular casework types and references to the statutory procedural rules that apply.

In accordance with the statutory rules, casework representations are normally copied to the appellant/applicant, the local planning authority and other statutory parties to the case. The local planning authority are also required to make the casework representations available to anyone who wishes to see them.

As they provide context to your representation (for example in relation to noise/overlooking) and allow for the effective running of the case (for instance allowing parties with similar viewpoints to identify each other and agree joint presentation of views at any hearing or inquiry), the representations that we receive are normally exchanged between the parties without redaction of content or contact information.

Please note that we do not accept anonymous or confidential representations. Where outlined in our guidance, you may comment on a case and ask for your identity to be withheld. If you request this then your representation will be copied to the parties and provided to the Inspector without your name and contact details, and your representation may be given less weight by the Inspector as a result. You are also responsible for ensuring that your representation does not contain any other information which may identify you.

The appointed Inspector will consider the information provided in the representations and reach their decision. Their decision notice will provide the outcome for the case and their reasoning for this.

Alternatively, where our sponsor department are responsible for making the decision on the case, the Inspector will produce a report. The Inspector's report and the representations are provided to them will then be sent to our sponsor department.

The casework information that we publish on-line

For the casework that we process on the ACP, we normally publish summary details of the case. This includes the name of the appellant/applicant and the site address. We also publish the decision. This information is normally published for approximately 5 years following the issue of the decision.

For casework in Wales, we additionally publish copies of the representations that we receive. This information is typically published for a period ending 6 weeks after the issue of the decision. We have a redaction policy and remove personal telephone numbers, email addresses and signatures, and also special category information (such as information about an individual's health).

If you have concerns about the publication of your information then you should discuss this with the case officer or the Inspectorate's Data Manager before submitting your representation. Although we may not publish every document or every case, this does not alter the statutory obligation on us to copy representations to the parties and for the local authority to make them available.

As they may have different policies and requirements, you may also want to check what information the local planning authority makes available.

What is the legal basis for our use of personal information?

Our processing of personal information is necessary for the effective determination of our casework and to ensure public confidence in the planning system (i.e. the processing is necessary for the performance of a task carried out in the public interest). There are also explicit statutory\legal obligations on us in respect of our casework.

Our processing of special category personal information is on a similar basis, being necessary for reasons of the substantial public interest in exercise of our official functions of administering and determining casework.

What are the consequences of failing to provide information?

If you are an applicant/agent and fail to provide the statutory information needed to validate your case within the set time periods then we will not be able to consider your case and it may be deemed invalid.

How long do we keep the information?

We normally keep the representations that we receive on a case for one year following the issue of the casework decision.

We normally keep the case decision and record of the case for 5 years following the issue of the casework decision.

Who do we share information with?

As set out above, casework information is copied to the parties to that case and is normally made publicly available by the local planning authority. We also provide information directly to our sponsor department, for instance where they recover responsibility for making the decision for that case.

We may use third party service providers to process information on our behalf in respect of the case (for example the provision of information technology services). Where we do so, contracts will be put in place to ensure that your personal information is processed only as instructed by us (unless otherwise required by law), and that appropriate measures are in place to ensure the security of information.

Transfer of information overseas

The information that we publish on the ACP is available worldwide. We do not otherwise transfer your information outside of the EU.

Your rights in respect of your personal information

Data protection legislation provides you with rights in respect of your personal information. Typically these are:

- the right to be informed;
- the right of access;

- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability
- the right to object;
- rights in relation to automated decision making and profiling.

Given our lawful basis for processing information, your rights to erasure, data portability and to object to the processing of your information may not apply and we do not use automated decision making or profiling.

Your other rights may also not be absolute and, as our legal basis for processing information is not dependent on your consent, then withdrawal of this is not normally applicable. However, if you have concerns over the use of your personal information, or wish to exercise your rights, then please contact us.

Complaints about the processing of your personal information

When we process your personal information we will comply with the Data Protection Act.

If you are unhappy with the way the Inspectorate processes your personal information then you should first contact the Inspectorate's Data Manager: dataprotection@planninginspectorate.gov.uk.

Alternatively, you can contact our respective sponsor's Data Protection Officer directly (please make clear that your query relates to the Planning Inspectorate):

MHCLG: dataprotection@communities.gov.uk

Welsh Government: dataprotectionofficer@gov.wales

If you are still not happy, or for independent advice about data protection, privacy and data sharing, you can contact:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow, Cheshire,
SK9 5AF

Telephone: 0303 123 1113 or 01625 545 745
<https://ico.org.uk/>

Cookies

Like most websites the ACP uses cookies. In order to deliver a responsive service and to improve the site, we remember and store information about how you use it. This is done using simple text files called cookies which sit on your computer.

Cookie	Usage
ASP.NET_SessionId	Enables ACP to load the user's session data. Expires when the browser session ends.
.ASPXAUTH	Authentication cookie. Tells ACP who the user is. Expires when the browser session ends or if 'Keep me logged in' option selected 14 days from initial login.
serverTime	Used in conjunction with <i>sessionExpiry</i> to control the session log out pop up window. Expires when the browser session ends.
sessionExpiry	Used in conjunction with <i>serverTime</i> to control the session log out pop up window. Expires when the browser session ends.
CookieMessage	Only created when user confirms they have read cookie message. No expiry (or until cookies are manually deleted in browser).

Measuring website usage (Google Analytics)

We use Google Analytics software to collect information about how you use this website. We do this to help make sure the website is meeting the needs of its users and to help us make improvements.

Google Analytics stores information about:

- the pages you visit on the site
- how long you spend on each page
- how you got to the site
- what you click on while you're visiting the site

We don't collect or store your personal information (for example your name or address) so this information can't be used to identify who you are.

Google Analytics sets the following cookies:

Universal Analytics

Name	Purpose	Expires
_ga	This helps us count how many people visit GOV.UK by tracking if you've visited before	2 years
_gid	This helps us count how many people visit GOV.UK by tracking if you've visited before	24 hours
_gat	Used to manage the rate at which page view requests are made	10 minutes

Google Analytics

Name	Purpose	Expires
_utma	Like _ga, this lets us know if you've visited before, so we can count how many of our visitors are new to GOV.UK or to a certain page	2 years
_utmb	This works with _utmc to calculate the average length of time you spend on GOV.UK	30 minutes
_utmc	This works with _utmb to calculate when you close your browser	When you close your browser
_utmz	This tells us how you reached GOV.UK (for example from another website or a search engine)	6 months

You can [opt out of Google Analytics cookies](#) across all the websites you visit.

Cloudflare

We use a service called Cloudflare to provide protection against Distributed Denial of Service attacks.

Name	Purpose	Expires
_cfduid	Used to identify and block malicious visitors to Cloudflare protected sites	1 year

Changes to this Privacy Notice

We keep our privacy notice under regular review. This privacy notice was last updated on 23 May 2018

Disclaimer

Neither any department of Her Majesty's Government nor any of its employees, agents or sub-contractors make any warranty, express or implied, or assume any legal liability or responsibility for the accuracy or completeness of any information contained on this site or any website referred to. Those who access the site or any site referred to should take appropriate steps to verify all such information.

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