Westminster City Council

Pending Applications
Development Planning
City of Westminster
PO Box 732
Redhill, RH1 9FL

westminster.gov.uk

City of Westminster

Ref: 21/00791/TCA

Please reply to: Planning Reception

Email: planningreception@westminster.gov.uk

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Development Planning
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PO Box 732
Redhill, RH1 9FL

10 February 2021

Dear Sir / Madam

Receipt of Planning Application

Address: 25 Newton Road, London, W2 5JR,

Proposal: Yellow Robina (front) : Remove recent regrowth throughout (up to 4m in extent) remove dead and damaged branches., Mimosa (south end rear) : Clean out dead branches from interior, Reduce crown profile to obscure view of gable. Reshape and balance.

The City Council confirms receipt of your application received on 9 February 2021. Our validation team are in the process of checking your application to determine whether it is valid. If your application is made valid, you will receive an acknowledgement email including the name of the allocated officer. If your application is incomplete, we will contact you and you will have the opportunity to submit the missing documents.

Please find a privacy note relating to your information submitted to the Planning Department.

Please quote the above reference number on any future correspondence.

Yours faithfully

Planning Reception

Westminster City Council – Planning Privacy Notice

Who we are and what we do

The Council is a data controller under the Data Protection Legislation as we collect and process personal information about you in order to provide Planning services and meet our statutory obligations.

This notice explains:

- Why we ask for your personal information
- How that information will be used
- How you can access your records

Why we need your information and how we use it

Our planning department uses various kinds of information including personal data and occasionally special categories data (previously called sensitive personal data). This statement sets out the types of information that we collect and how we process it.

We receive applications seeking planning consent of one form or another, requests for advice and we investigate allegations of breaches of planning control.

Our purpose in collecting and using data is to operate as a statutory body carrying out a public task. The most common things we use personal data for are:

- to help us determine an application;
- publicise applications in various ways to seek comments and information;
- notifying other organisations of proposals to seek their views;
- investigating allegations; and
- writing reports and making decisions.

We use your personal data for the purposes of processing and determining planning applications, building regulations notices, dangerous structures, street naming and numbering, planning policy and investigating alleged breaches.

We have a statutory obligation to provide these services in accordance with the following legislation:

- The Building Act 1984 and the Building Regulations
- The London Building Act (Amendment) Act 1939
- Fire Safety and Places of Sports Act 1987
- Town and Country Planning Act 1990
- Planning and Compulsory Purchase Act 2004
- Planning Act 2008
- Proceeds of Crime Act 2002
- Local Government Act 1972

Source of your personal data

Your personal data may have been shared with Westminster City Council by another organisation as detailed below depending on how you submitted your application.

- Planning Portal
- Iapply

In line with our transformation policy, any hard copy correspondence you provide will be digitised and delivered to us by our third party processor. All hard copies and digital copies will be retained for 30 days by our processor and then securely destroyed.

What type of personal data is collected from you?

In order to administer our services we collect the following personal data from you:

- name
- address
- email
- telephone number
- bank details
- agent contact details (if applicable)
- full address of the development
- special categories data (previously called personal sensitive data)
- information agreed to be confidential

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 at as soon as you can - ideally in advance of submitting the application. You can do this by contact the relevant planning officer.

The Council publishes planning applications on its website, which includes the applicant/agent name and address; however, we do redact the personal data you have provided; namely signature, email addresses and telephone number so these are not visible to the public and only to the Council's planning department. Please note, agent details are not normally classed as personal data therefore will be visible to the public.

We charge for planning applications and will record payment amounts made, amounts outstanding and the action taken to recover monies owed.

Enforcement cases remain confidential and at no time will we divulge the details of complainants who have informed us of alleged planning breaches.

Generally, the information we hold will have been provided by you (on an application or enquiry form or when we communicate with you), but we may also hold information provided by third parties where this is relevant i.e. complainants, LGO, other council departments.

We will only ask for personal data that is appropriate to enable us to deliver our services. In some cases, you can refuse to provide your details if you deem a request to be inappropriate. However, you should note that this might affect our ability to provide some services to you.

Who your information may be shared with (internally and externally)

We will sometimes need to share the information we have with other departments in the council and also to external bodies that we work along side.

Please find further details below on how we deal with certain aspects of our services:

Comments

Comments include material considerations, which we consider when determining planning applications. All comments provided by you are held on our system along with your contact information, if it has been provided.

Please note that in order to be transparent as a public authority we normally publish the full text of the comments you have provided and this full text is published on our public facing website. We will redact your name, address and email address however, you should be careful not to provide any personal data or special categories (previously called sensitive personal data) about yourself in these comments which is capable of identifying you to any one else. If you do so, you must be aware that these will be seen by the public at large.

If you wish to make comments providing any personal data or special categories data (previously called sensitive personal data) about yourself which is capable of identifying you then you should consider doing so only by using the alternative method of contacting us which is provided for on our website so that this information is not published to the public at large.

We will usually provide a summary of your comments in both our delegated and committee reports as part of the decision making process. If the application is reported to committee, the Committee Members receive copies of all your comments in their background papers a week before the meeting.

Enforcement

We receive allegations of unlawful development that we investigate and decide whether or not to act. Allegations are a useful way for us to learn about potential breaches of planning control and we treat the personal details of the person/s who make the allegation in confidence. These personal details are not made public. We are required by statute to make public any enforcement notices we serve.

Appeals

The council receives planning, advert, householder and enforcement appeals. The appellant and/or their agents submit documents for these appeals. The documents include the appeal form that may contain personal details of the applicant and agent. Documents uploaded with the council's questionnaire may also contain personal data or special categories data (previously called sensitive personal data); some of the third party comments are already redacted when received through the council's Planning Portal, others are redacted by our internal admin team but some may still contain personal data or special categories data (previously called sensitive personal data) for example letters that are sent via PINs. These comments and comments previously made at application stage are forwarded to the Planning Inspectorate and are currently not all redacted, as PINs do not make these documents public.

In addition, Westminster City Council writes to third parties to notify them of the appeal. All of these documents are currently uploaded to the council's website as public information.

The consultations sent out to third parties advise the recipients to submit their comments either via the Planning Portal or by writing to the Planning Inspectorate, the consultation letter includes the following paragraph:

“Please note that your comments will be visible to the public at large. You should be careful not to provide personal data or special categories data (previously called sensitive personal data) which is capable of identifying you but if you do, you should be aware that the public will see it so you must only provide information which you are happy for the public at large to see.

If you supply personal data belonging to a third party, please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available at the ICO website found at https://ico.org.uk/.

Third parties are informed when telephoning the council that their comments will be sent onto the appellant and the agent via PINs.”

Weekly List

Our weekly list of applications, along with agent and applicant's details, are sent to a list of Councillors and any interested party. Pending application under review are visible to members of the public.

Street Naming and Numbering

SNN applications and details are by default sensitive and information held on Uniform / Idox is not made public. Also, applicants / agent's personal details; except the address, which is also contained in the site location plan, is shared with consultees. We will proceed with carrying out consultations with the emergency services and Royal Mail.

Pre application advice

Applications for pre-application advice are stored in our system. These are not published on our website.

Your rights

You have rights under the Data Protection Legislation:

- to access your personal data
- to be provided with information about how your personal data is processed
- to have your personal data corrected
- to have your personal data erased in certain circumstances
- to object to or restrict how your personal data is processed
- to have your personal data transferred to yourself or to another business in certain circumstances
- You have the right to be told if we have made a mistake whilst processing your data and we have a duty to self-report certain breaches to the Information Commissioner.

How you can access, update or correct your information

The Data Protection Legislation allows you to find out what information is held about you, on paper and computer records. This is known as 'right of subject access' and applies to your Planning data along with all other personal records.
If you wish to see a copy of your records, you should contact the Council's Data Protection Officer. You are entitled to receive a copy of our records free of charge, within a month.

In certain circumstances, access to your records may be limited, for example, if the records you have asked for contain information relating to another person.

The accuracy of your information is important to us to be able to provide relevant services more quickly. We are working to make our record keeping more efficient. In the meantime, if you change your address or email address, or if any of your circumstances change or any of the other information we hold is inaccurate or out of date please email us : planningreception@westminster.gov.uk

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 done something wrong or there is a reason you would prefer for something to not be disclosed please contact us by emailing us at planningreception@westminster.gov.uk

If you need to make a complaint specifically about the way we have processed your data you should in the first instance use our corporate complaints policy. If your complaint is relating to the processing of your personal data you should contact our Data Protection Officer. If we fail to respond properly, you can direct your concerns to the Information Commissioner's Office.

Further information
If you would like to know more about how we use your information, or if for any reason you do not wish to have your information used in any of the ways described in this leaflet, please tell us.
Contact details for our Data Protection Officer:

Data Protection Officer for Westminster Council - Fatima Zohra PhD, MSc, BA Hons

dataprotection@westminster.gov.uk