

## PRIVACY NOTICE – ENFORCEMENT PCN

### Processing your information

We are processing your information in relation to the issuing of a Planning Contravention Notice (PCN) and in accordance with the Town and Country Planning Act 1990. Other national planning legislation that is of particular relevance to Planning Enforcement includes the following:

**The Town and Country Planning (General Permitted Development) (England) Order 2015** sets out what can be done under 'permitted development rights' i.e. without requiring specific planning permission from the Council.

**The Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended)** sets out which advertisements benefit from deemed consent i.e. those advertisements which can be displayed without requiring express consent from the Council.

**The Town and Country Planning (Use Classes) Order 1987 (as amended)** sets out the various categories that different uses of land fall into and what comprises a material change of use requiring planning permission.

**Planning (Listed Buildings and Conservation Areas) Act 1990** sets out the regards a Local Planning Authority must have to preserving or enhancing the character and appearance of listed buildings and conservation areas.

You can also see a copy of the Local Enforcement Plan (adopted April 2018) on our website by visiting [Planning - MIDDEVON.GOV.UK](http://Planning-MIDDEVON.GOV.UK) and selecting Local Enforcement Plan.

### Purpose of processing

Your information will be used by MDDC for the purpose of gathering information in relation to an alleged breach of planning control. The PCN form requires you to provide your name, address, contact details, DOB, your interest in the land/property together with details of any other persons who have an interest in the land/property. This is a statutory requirement but your information will remain confidential within the enforcement and legal teams and not held in the public domain.

Your information could also be used to contact you regarding the PCN for the following reasons:-

1. Acknowledging your information
2. Providing updates
3. Asking for further information

### Data Controller

Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton EX16 6PP

### **Data Processor**

Planning Services, Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton EX16 6PP

### **Data Protection Officer**

Data Protection Officer, Data Protection Office, Mid Devon District Council, Tiverton EX16 6PP Email: [dpo@middevon.gov.uk](mailto:dpo@middevon.gov.uk)

### **Information security and data sharing**

Your information is stored securely within the planning system, as part of the investigation process, your information (excluding personal contact numbers, DOB, email address and signatures) can be shared with other statutory consultees such as the Highways Agency, South West Water, Natural England, Building Control, Devon County Council, Council Tax and Public Health etc.

This is a statutory requirement under The Town and Country Planning (General Permitted Development) (England) Order 2015; the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended); the Town and Country Planning (Use Classes) Order 1987 (as amended Planning (Listed Buildings and Conservation Areas) Act 1990.

If there is a planning appeal we will share your information with the Planning Inspectorate

### **Accuracy of information**

We will process the information given at the time you submit the completed PCN. If your details change during an investigation you need to keep us informed. Please email [enf@middevon.gov.uk](mailto:enf@middevon.gov.uk) or call us on 01884 255255 to keep us up to date.

### **Retention**

All documents are held indefinitely under the Town and Country Planning (General Permitted Development) (England) Order 2015; the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended); the Town and Country Planning (Use Classes) Order 1987 (as amended Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Transferring data outside of the EU**

Your information will not be transferred outside the EU by MDDC.

### **Individual rights**

You have certain rights under the Data protection Act and the EU General Data protection Regulations (GDPR). These can be found on the ICO website

[Individual rights | ICO](#)

### **Complaints**

If you are dissatisfied with the service that you have received and wish to make a complaint, you should write to Customer Services, Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton EX16 6PP

Alternatively you can email [customerservices@middevon.gov.uk](mailto:customerservices@middevon.gov.uk) Visit our website for more information [How our complaints procedure works - MIDDEVON.GOV.UK](#)