



South Dublin County Council (SDCC)

Privacy Statement for the SDCC Development Management Department

The Land Use, Planning and Transportation (LUPT) Departments at South Dublin County Council (“SDCC” or “the Council”) work to increase the quality of life of residents and all who pass through South Dublin County by carefully planning the future development of the County and by maintaining and improving existing infrastructure. The department builds sustainable communities through developing detailed plans for the County that incorporates new town design, upgrading road and footpath infrastructure, providing space for cyclists and pedestrians and through the administration of significant funding streams.

Development Management is the section within the Planning Department that deals with the processing of all planning applications and associated functions. This Privacy Statement applies to all personal data that is processed by Development Management and serves to provide information on the purpose, type and scope of processing conducted by the Council in this regard, as well as to provide you, the relevant data subjects with all the information you need to assess and safeguard your rights.

- In **Section 1** you can find contact details for **SDCC as the Data Controller** responsible for processing your Personal Data.
- In **Section 2** the **purpose for processing your personal data** is explained.
- In **Section 3** you can find information about the **publication of your planning application data**.
- In **Section 4** you can find information about the **transfer of data to third countries**.
- In **Section 5** you can find out **how long your personal data is stored**.
- In **Section 6** you can find information about **your rights**.
- In **Section 7** the **terminology used in this Privacy Statement** is explained.
- In **Section 8** you can find information about the **validity of and changes** to this Privacy Statement.

1. The Data controller

- a. The body responsible for processing any personal data submitted to the SDCC Planning Section is:
South Dublin County Council
County Hall Tallaght,
Dublin 24, D24 A3XC
Phone: +353 1 414 9000

Email: info@sdblincoco.ie

b. The Data Protection Officer for South Dublin County Council is:

Data Protection Officer

South Dublin County Council

County Hall Tallaght,

Dublin 24, D24 A3XC

Phone: +353 1 414 9000

Email: dataprotection@sdblincoco.ie

The Data Processor

a. The Local Government Online Planning website allows planning applications and planning submissions to be submitted to Local Authorities online. The website is developed and managed by the Local Government Management Agency (LGMA) on behalf of the 31 Local Authorities.

Privacy Statement: <https://planning.localgov.ie/privacy-notice>

2. Processing your Personal Data

If you submit a planning application, SDCC will process the following data as part of your application:

Planning Applicants: (Required)

- Name,
- Address,
- Contact details (telephone, fax, email);
- Where applicant is a company – names of company directors;
- Part V financial proposals.

Miscellaneous information which may be submitted by applicants in support of their pre-planning proposal or planning application:

- Employment details;
- Land/property ownership information;
- Location of familial dwellings;
- Herd Numbers / REP numbers;
- Business accounts and/or other financial information;
- Records – Birth, School, Employment. Club Memberships
- Marital Status Special Category Data
- Health related information

Planning Agents/Consultants:

- Name
- Address,
- Contact details (telephone, fax, email)

Third party submissions:

- Name
- Address
- Contact details (telephone, email)
- Miscellaneous information volunteered by a person as part of their third party submission.

We only process the personal data submitted to us in order to carry out our Planning function as a Local Authority. We will not use any personal data submitted to us for any other purpose and the personal data is only processed to the extent that is necessary. The legal basis for this processing can be found in the relevant legislation, such as the Planning & Development Act 2000 (as amended), Planning & Development Regulations 2001 (as amended), Urban Regeneration and Housing Act 2015, Planning & Development (Housing) & Residential Tenancies Act 2016, Building Control Act 1990 (as amended) - Article 8(2) and the Local Government Act 2001 - Section 54(2) and 65.

We will process your Personal Data via service providers in order to help us fulfilling the legal requirements as regards planning services, such as the maintenance and publication of a Planning Register as required under Section 7 of the Planning & Development Act 2000, and Part 4, Article 22 & 29 and Schedule 3, Form 2 of the Planning and Development Regulations 2001 as amended. Service providers are so called “Data Processors” and the categories of service providers we use include IT software (for emailing, retaining data, analysing assessment data etc.), hosting providers, eplanning platform providers and platform technical support providers. The Council always concludes a Data Processing Agreement with all service providers to contractually ensure that any personal Data processed on our behalf by such Data Processors is processed in strict accordance with the Data Protection Acts, the EU General Data Protection Regulation, and only in accordance with our strict instruction. Information about the duration of storage of any personal data submitted can be found in Section 4 below.

3. Publication of Planning Data

The publication of personal data submitted via a planning application with third parties will only occur in circumstances that are permitted and or mandated by law. The maintenance and publication of a Planning Register requires that all planning application files are publicly available (only information that is legally required will be made available for public viewing. Members of the public and Data Subjects can review this information at any time via consulting the [Local Government Ireland Planning System](#)).

4. Data Transfers to Third Countries

The Council takes every effort to ensure that your personal data is processed in the EU or in the European Economic Area. In cases where this is not possible and data needs to be transferred to a country outside of the EU, we will ensure, after prior review, that an adequate level of data protection that meets the requirements of the Court of Justice of the European Union and the EU Commission is adhered to in the country the data is transferred to and that a suitable transfer mechanism in accordance with Article 44 of the EU GDPR is in place.

5. Data Retention and Deletion

Generally, we only store your Personal Data for as long as necessary for the respective purpose or where we are contractually or legally obligated to store the data for a longer period. All Personal Data submitted to the Development Management Section is stored electronically on a secure network, in secure databases and on secure platforms. They are accessible by authorised staff only and are retained in accordance with the Council's Data Retention Policy.

6. Your Rights

As the data subject you have the following rights in relation to Personal Data processed by us for this purpose:

- Right of access (Art. 15 GDPR)
- Right to rectification (Art. 16 GDPR)
- Right to erasure ("right to be forgotten") (Art. 17 GDPR)
- Right to restriction of processing (Art. 18 GDPR)
- Right to data portability (Art. 20 GDPR)
- Right to object (Art. 21 GDPR)
- Right to withdraw consent (Art. 7 (3) GDPR)
- Right to lodge a complaint with a supervisory authority (Art. 77 GDPR). The Contact details for the Data Protection Commission are as follows: Data Protection Commission, 21 Fitzwilliam Square South Dublin 2 D02 RD28, Tel.: +353 578 648 800 or +353 761 104 800, E-mail: info@dataprotection.ie Website: www.dataprotection.ie

As a user of the online planning service (<https://planning.localgov.ie/>) service, you can access the information that is held in your registered account via logging in and have the ability to update this information at any time by logging in and visiting 'My Details'.

For all other requests, please submit your request to dataprotection@sdblincoco.ie and specify that you are seeking to exercise your rights in relation to the Planning Section.

Please note, that we are obligated to verify your identity when processing a Data Subject Request. Your request will be retained by the Council for two (2) years. Any copies of proof of identity that we receive will be immediately destroyed after your identity has been verified. The legal basis for this processing is Art. 6 (1) (c) GDPR.

7. Terms Defined

The terminology used in this Privacy Statement has specific meanings defined in the EU General Data Protection Regulation (GDPR). Other terms which we explain below, along with the most important terminology from the General Data Protection Regulation:

- **“Contact Data”** means the name of the applicant / household that wishes to participate in the programme, a relevant email address, phone number and household address. This personal data is used to contact the applicants, assess their eligibility for the programme and arrange for the assessment and any pre or post assessment communications in this regard.
- **“Data Controller”** means an individual or legal entity, public authority, agency, or other body that, either alone or jointly with others, decides on the purposes and means of the processing of personal data. In the context of this Privacy Statement this is South Dublin County Council.
- **“Data subject”** means an identified or identifiable natural person to whom personal data can be attributed. In the context of this Privacy Statement, this is you.
- **“Data Processor”** means a natural or legal person who processes personal data on behalf of the controller.
- **“Data Protection Acts”** refers to The Data Protection Acts 1988-2018.
- **“GDPR”** refers to the General Data Protection Regulation (EU) 2016/679
- **“Processing”** means any operation or set of operations performed in connection with personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination, or otherwise making available, alignment or combination, restriction or erasure.

8. Changes to this Privacy Statement

This Privacy Statement is valid from March 2024 and will be reviewed at regular intervals and updated as necessary.