

How to comment on the Regulation 19 Draft Local Plan (2026)

Introduction

Swale Borough Council is consulting on the Regulation 19 draft Local Plan. The consultation runs from **Monday 10 August to 5pm on Monday 21 September 2026**.

This is the final consultation stage before we submit the plan to the government. The government will then appoint a planning inspector to run an Examination In Public, which we expect to take place next year.

Unlike earlier consultations, the planning inspector will focus purely on comments regarding the plan's "soundness" and "legal compliance". This guide explains these terms to help you make your points clearly to the inspector.

What makes a plan sound?

The government outlines "tests of soundness" in the [National Planning Policy Framework](#) (NPPF). The planning inspector applies these tests during the examination. The inspector can only recommend changes if they are necessary to make the plan sound.

Under NPPF paragraph 36, the inspector will examine if the plan is:

- **positively prepared** - the plan provides a strategy that meets the area's objectively assessed needs. It must be informed by agreements with other authorities to accommodate unmet need from neighbouring areas where practical and consistent with sustainable development.
- **justified** - the plan outlines an appropriate strategy based on proportionate evidence, taking reasonable alternatives into account.
- **effective** - the plan is deliverable over the plan period. It must be based on effective joint working on cross-boundary strategic matters, evidenced by a statement of common ground.
- **consistent with national policy** - the plan enables sustainable development in line with the NPPF and other national planning policies, where relevant.

What is legal compliance?

The planning inspector will check the plan is legally compliant, following legislation like the [Planning and Compulsory Purchase Act 2004](#) and the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#).

The inspector will look at five key areas:

1. The [Local Development Scheme \(LDS\)](#) - this sets the timetable for preparing the Local Plan. We must prepare the plan following an up-to-date LDS.

2. **Statement of Community Involvement (SCI)** - this explains how we involve communities in planning decisions. We must prepare the plan following an up-to-date SCI.
3. **Sustainability Appraisal and Habitats Regulations Assessment** - These documents consider the potential impacts of the Local Plan on a range of matters, such as environmental, economic and social considerations. The Local Plan needs to be supported and informed by a Sustainability Appraisal and Habitat Regulations Assessment. The Sustainability Appraisal and Habitats Regulations Assessment of the Regulation 19 draft Local Plan can be viewed here: [Local Plan Review - Public consultation](#)
4. **National Planning Policy Framework (NPPF)** – The National Planning Policy Framework sets out the government’s requirements for Local Plan preparation and, along with the Planning Practice Guidance, the Local Plan needs to take these into account. The National Planning Policy Framework (December 2024) can be viewed at [National Planning Policy Framework](#) and the Planning Practice Guidance can be viewed at [Planning practice guidance - GOV.UK](#)
5. **Duty to Cooperate** - while the government intends to remove this as a legal test, it has been a legal requirement throughout the plan's development. We must still meet NPPF requirements for cooperating across council boundaries on strategic matters [Local Plan Review - Public consultation](#).

How to write your representation

You can submit any comment, but the inspector will specifically look for representations about soundness and legal compliance.

When you’re preparing your written comments, it is important to consider which of the specific tests of soundness, and/or which of the legal compliance requirements, you think your comment relates to.

When preparing your comments, please set out:

- the specific policy you want to comment on
- how your comment relates to the specific tests of soundness or legal compliance
- the exact changes you think are needed to make the policy sound and/or legally compliant.

If you are commenting on multiple policies, use clear headings for each policy to help the inspector understand your views.

If you include supporting documents, explain exactly how they relate to the issues you are raising.

Group representations

The inspector assesses the actual substance of a representation, not the number of people making the same point.

If a group shares a view, please submit one joint representation rather than multiple identical ones. You should state clearly how many people the group represents and how the representation was authorised.

What happens next?

We will process all valid comments and submit them to the Government alongside the Local Plan and its supporting documents.

The planning inspector will run the examination and decide who they want to hear from at the hearing sessions.

- Written and spoken representations carry equal weight and consideration
- You must state clearly in your representation if you want to speak at the hearing sessions
- The inspector makes the final decision on who can make further submissions or attend the hearing sessions.

The ability to make further submissions or to take part in the hearing sessions is, however, a matter for the planning inspector, so this cannot be guaranteed.

Submitting your representation

We must receive all representations by **5pm on Monday 21st September 2026**. We will mark late submissions as late, and the inspector may not consider them.

You can submit your comments via:

- our consultation portal <https://swale-consult.objective.co.uk/kse/>
- by email to LPcomments@swale.gov.uk. Please refer to the policy number you are responding to. If you represent an organisation, landowner, or developer, state this clearly
- Post to: Planning Policy, Swale House, East Street, Sittingbourne, Kent, ME10 3HT.
- Please refer to the question numbers you are answering.

Further information and privacy

If you have a question about making a representation to the Regulation 19 consultation, or to request assistance or alternative formats, you can contact us by email at LPComments@Swale.gov.uk or 01795 417850.

Any comments made on the Local Plan Regulation 19 will be processed by our team and will be made available for public inspection after the consultation closes, together with your name and post town.

As data controller we ensure that processing is carried out in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation. The information provided on this form will be used solely in connection with Local Plan Review and will only be shared where it is necessary in order for your request to be resolved or where there is a legal requirement to do so. The lawful basis which enables the Council to process your data for this purpose is Public Interest Article 6, paragraph (e) of the UK GDPR. The information will be stored and destroyed in line with the Council's Retention and Deletion Schedule. Please visit the Privacy pages for further information: <https://swale.gov.uk/planning-and-regeneration/local-plans/local-plan-review/local-plans-privacy-notice>