

Swale Local Plan Regulation 19 Frequently Asked Questions

What is a Regulation 19?

The Regulation 19 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". These FAQs explain these terms to help you make your points clearly to the inspector for further info please the Council's Guidance note.

What is Soundness?

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](#).

What does the Regulation 19 Cover?

The Regulation 19 covers;

- Vision,
- Objectives,
- Portrait of the Borough;
- Key Diagram
- Strategic Policies
- Site Allocations for housing and employment
- Development Management (DM) Policies split thematically into;
 - General Development Criteria,
 - Good Design, Housing,
 - Economic Development,
 - Infrastructure,
 - Climate Change, Pollution & The Water Environment,
 - Biodiversity and Landscape and;
 - Historic Environment
- Implementation and Monitoring Framework

What Are Strategic Policies?

Strategic policies in a Local Plan define the overall strategy for the pattern, scale, and design quality of development within a local authority area. They ensure sufficient provision for growth, supporting infrastructure, and the conservation and enhancement of the natural, built, and historic environment while addressing climate change.

What Are Site Allocation Policies?

These policies identify specific sites suitable for development, such as housing, employment, retail, or mixed-use projects, and outline the requirements and priorities for each site.

What Are Development Management Policies?

Development Management (DM) policies influence the type and impact of development by setting design standards, mitigating environmental impacts, promoting social and community development, and addressing infrastructure requirements. They also provide a framework for local authorities to decide on planning applications, influencing the scale, appearance and location of developments.

What are National Development Management Policies?

National development management policies (NDMPs), legislated for by the government's [2023 Levelling Up and Regeneration Act](#) (LURA) but never brought into force, are designed to cover planning considerations that apply regularly in decision-making across England. On Tuesday, 11th November 2025, the previous Housing Secretary Steve Reed, stated that the NDMPs would be brought forward on a non-statutory basis alongside an updated National Planning Policy Framework (NPPF) before Christmas 2025. He confirmed that the NDMPs would be "guidance" that could "not be used to override local plans".

When is the Consultation Taking Place?

From **Monday 10 August 2026 to Monday 21 September 2026 (5pm)**, the Council is running a public consultation on the second draft of the plan.

How to comment on the Regulation 19?

From 10 August, you can view the draft plan and submit your comments online via www.swale.gov.uk/consultations.

You can also view paper copies at local libraries and the council offices across the borough and the Swallows leisure centre.

To submit your views, you can:

- Use the consultation portal that will be on <https://swale-consult.objective.co.uk/kse>
- email comments to Lpcomments@swale.gov.uk. Please make sure to clearly state which policy or question your comment refers to.
- Post your response to: Planning Policy, Swale Borough Council, Swale House, East Street, Sittingbourne, Kent ME10 3HT. Please make sure to clearly state which policy or question your comment refers to.

How to register with Objective?

To register, click on this link <https://swale-consult.objective.co.uk/kse>. Once an email address and password has been set, a verification email will be sent to confirm the account details.

If you are an Agent acting on behalf of a landowner/client, follow the steps above, and within the registration screen, a tick box is available to select 'I am registering as an agent'.

Some customers/agents/organisations are already registered with Objective Consultation Portal for other Local Authorities. However, it is not possible to use the same username for all Local Authorities and a different username must be selected e.g. 'JoBloggsSwale'.

If you are returning to Objective after you have already registered click on the arrow icon on the top right-hand side of the Portal home page. Enter a username (usually the email address that has been registered) and a password. If the password has been forgotten, click on the 'forgot password' option to re-set it.

Any difficulties in either registering or logging in can be reported to Lpcomments@swale.gov.uk and help will be provided.

How to make a comment in Objective?

To Submit a comment, you can watch a video here <https://www.youtube.com/watch?v=NgQ93oNDVz8> or follow the guidance below.

From the home screen, the consultation event can be selected by clicking the '**Learn More**' icon. This screen will give further detail on the event itself and how to participate.

The PROPOSAL text can be selected to view the document. Please ensure you are commenting on the right policies before submitting any comments.

The Local Plan Review 2021 (Reg 19)

FORMAL SUBMISSION - CLOSED

The Swale Borough Local Plan Review 2021 - Pre-Submission Document (Regulation 19)

ABOUT THIS CONSULTATION

PROPOSAL

WHAT PEOPLE SAY

▼ The Swale Borough Local Plan Review February 2021

▶ 1 Introduction

▶ 2 Our vision, challenges and strategic objectives

▶ 3 Local Plan strategy for Swale

▶ 4 Strategic Policies

▶ 5 Land allocations for new development

▶ 6 Neighbourhood plans

▶ 7 Development management policies

▶ 8 Implementation and monitoring arrangements

● 9 Glossary of terms

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Closed event

The Swale Borough Local Plan Review February 2021

1 Introduction

What is a local plan?

1.0.1 The Local Plan is the document that contains the policies for how the borough will change over the period up to 2037/38, which is the end date of this plan. It identifies the amount of development that will take place, the areas and sites where development is expected to be accommodated and where it will be restricted. It sets out policies for how planning applications will be decided.

1.0.2 Once adopted, the plan will form part of the 'development plan' for the borough. This means that legally, it will be the main consideration in deciding planning applications in Swale.

1.0.3 The local plan review will replace the existing local plan, Bearing Fruits and will roll forward unimplemented development land allocations that are essential to meet the development needs of the borough for the plan period. This will mean that the Council's development plan will consist of the Local Plan Review that will supersede and replace Bearing Fruits. Kent County Council Minerals and Waste Local Plan will continue to provide the policy framework for waste and minerals and all SPDs will roll forward as they relate to the 'parent' policy in this plan once approved. Along with the Faversham Creek Neighbourhood Plan, any further neighbourhood plans prepared by town and parish councils will also make up the "statutory development plan" and will have important status in determining future planning applications in the area.

From here (under the PROPOSAL text heading), by scrolling through the document, various question or comment boxes may appear, indicated by the '**Add Comment**' icon.

It is advisable to draft long comments somewhere else first like Word or Google Docs. These can then be copied/pasted into the relevant comment box within the document.

Comments can be added and should then be saved using the '**Save**' button. Multiple comments can be submitted to different points of the document where the '**Add Comment**' icon is showing, each time, remembering to click '**Save**'. Once all comments have been drafted, there is an opportunity to check through them and click '**Submit**'.

Once comments have been submitted, they arrive with the Planning Policy team for review, before becoming publicly viewable. The team will check for inappropriate use of language and GDPR issues (where someone may have mentioned personal information within the comment itself). Please refrain from uploading any documents or images that contain photographs of people, car registration numbers, personal/medical information etc. Officers will also check whether the comment has been made against the most appropriate policy and move/split it if required.

This process can take between a few days and a few months, depending on how many people participate in the event or how complex the event is.

Once a comment is processed, an acknowledgement will be sent electronically and the comment itself will be viewable in the '**What People Say**' section of the portal consultation event.

The Local Plan Review 2021 (Reg 19)

FORMAL SUBMISSION - CLOS

The Swale Borough Local Plan Review 2021 - Pre-Submission Document (Regulation 19)

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▶ 7 Development management policies

Please click  button to view people responses for that consultation.

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 VIEW COMMENTS (120)

 VIEW COMMENTS (3)

How to submit a comment as a group?

If a group of residents wish to submit a petition it is advised that a representative is usually chosen to submit a petition on behalf of a group of residents. The

representative should register or log into the Portal to submit the petition via the upload attachment option.

Additional information

Do you have any additional information?

Within each consultation, there is usually an option to upload attachments. This is shown within the 'Add Comment' options throughout the document.

Example:

There is an official Council procedure for dealing with petitions and further information can be found

here: <https://services.swale.gov.uk/meetings/mgEPetitionListDisplay.aspx>

Alternatively, the petition can also be sent to:

The Petitions Officer, Swale Borough Council, Swale House, East Street, Sittingbourne, ME10 3HT, or to petitions@swale.gov.uk

If you wish to make a comment on behalf of others/an organisation/ a group then when users have registered for the Portal or logged on, select the username at the top right-hand side of the home screen and select '**My Details**'. All personal information can be checked and amended in this section including a tick box with '**I submit on behalf of an organisation**' (shown on the left).

PERSONAL

Username

Username

CHECK

This is a required field.

First Name

First Name

This is a required field.

Last Name

Last Name

This is a required field.

Contact Number

Contact Number

☐ I submit on behalf of an organisation

Email

Email

This is a required field.

CHANGE PASSWORD

f

(not associated with your facebook account)

t

(not associated with your twitter account)

SAVE

CANCEL

POSTAL ADDRESS

Address line 1

Address line 1

Address line 2

Address line 2

Postcode

City/Suburb

State

Country

United Kingdom

SAVE

CANCEL

SETTINGS

Your subject interests

Select subject interests

☒ Notify me when

when my submission status changes

☐ Notify about new surveys

Preferred language

English

Preferred method of communication

None

SAVE

CANCEL

Other details can also be managed here, including how frequently notifications should be sent (shown on the right).

When the consultation closes, all comments are checked by the Planning Policy team and are made publicly available to view, on the consultation portal. The consultation event and all comments will remain available to view until the Local Plan is adopted.

What happens to my personal data?

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 by you will be used solely in connection with the Local Plan 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>

What happens next?

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.