

Planning and Transportation Policy Working Group	
Meeting Date	4 th November 2025
Report Title	Local Plan Review – Regulation 18 Consultation Launch
EMT Lead	Emma Wiggins, Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson, Head of Place
Lead Officer	Natalie Earl, Planning Manager (Policy)
Classification	Open
Recommendations	1. To recommend the Local Plan Regulation 18 document in Appendix I and the draft Sustainability Appraisal Scoping Report Update in Appendix III to Policy and Resources Committee (P&R) for recommendation to Full Council (FC) for approval for consultation purposes. 2. To recommend that Policy and Resources Committee delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group (PTPWG) Chair, any minor amendments and corrections to the Local Plan Regulation 18 document prior to the start of the consultation period.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to present the Regulation 18 Local Plan (Reg 18) that is set out in Appendix I and the refreshed Sustainability Appraisal Scoping Report in Appendix III. This is a formal Reg 18 consultation that seeks feedback from stakeholders and the public to a series of questions about the Local Plan's vision, objectives and Development Management (DM) policies.
- 1.2 Given the scale and complexity of the documents, it is inevitable that some minor clarifications/corrections may be required prior to the start of the formal Regulation 18 consultation and therefore recommendation 2 is deemed a reasonable and pragmatic suggestion. An example may be where additional words or terms could usefully be added to the glossary or formatting/grammatical errors need correcting.
- 1.3 The consultation period will run from Monday 12th January 2026 until Monday 23rd February at 5pm and officers are working with the Communications team on a range of engagement opportunities to enable wide ranging participation. Consultation arrangements are being finalised in line with the draft Statement of Community Involvement which has been considered by PTPWG (16th September) and will be considered at Policy and Resources Committee (P&R) on 5th November.

2 Background

- 2.1 This section sets out the recent history of the progress of the Local Plan and the relevant decisions that have been taken.

Why are Swale consulting on a Reg 18 Local Plan now?

- Since the last Local Plan Reg 19 consultation in Spring 2021 and Local Plan Reg 18 consultation in Autumn 2021 there have been a number of updates to both legislation and relevant documents that have led the Council to decide to undertake a new Reg 18 consultation:
 - The NPPF was updated in 2024 so a new Reg 18 allows Swale to reflect this, and updates to the associated Planning Practice Guidance (PPGs), within the Local Plan;
 - A number of new evidence base documents have been undertaken to update them so they can be reflected within the Local Plan;
 - The Climate and Ecological Emergency action plans have been updated, a new Affordable Housing Emergency was declared in April 2024 and The Town and Country Planning Association (TCPA) Healthy Homes Pledge was signed in May 2024; and
 - A new Corporate Plan 2023- 2027, setting out new objectives and priorities has been adopted.
 - To allow Swale to set out a degree of vision (excluding strategic policies or allocations) for housing, the economy, the environment, infrastructure, at the earliest stage;
 - To enable Swale to reflect local issues and priorities within the Development Management Policies;
 - To provide an early opportunity for the public and stakeholders to engage with elements of the Local Plan; and
 - To allow the Local Plan to be submitted under the transition window¹ and under the current planning system and therefore avoid potentially having to redo / disregard large sections of the evidence base and policy drafting that has already been undertaken.
- 2.2 As part of this process, Swale agreed a new Local Development Scheme (LDS) on 30th July 2025. This is the timetable of what documents the Council will produce and when. It was updated to reflect delays to the conclusion of the Highested Inquiry.

¹ The 2024 National Planning Policy Framework (NPPF) put in place transitional arrangements to support progress of advanced plans in line with the Government's objective of adopting Local Plans as quickly as possible. Plans that are submitted by December 2026 can be prepared against the current plan making legislation/guidance (the 'transition window').

The Reg 18 Local Plan Structure and Policy Drafting

- 2.3 There is some flexibility as to what style a Local Plan Reg 18 takes, especially when it is a repeated stage. At Full Council on 24th July 2024 members chose to produce a more detailed Reg 18 Local Plan, to include issues and options and to reflect a number of draft evidence documents produced to demonstrate mitigation for the levels of development proposed.
- 2.4 At Planning and Transportation Policy Working Group on 15th July 2025 members agreed to reduce the scope of the Reg 18 consultation, to include matters which do not depend on the Highsted Planning Inquiry decision² – namely, the vision, objectives, the portrait of the borough and the Development Management (DM) policies.
- 2.5 The structure is similar to that of previous Local Plans, for continuity and to enable ease of use between this and the adopted Local Plan for both development management officers, stakeholders and the public.
- 2.6 In addition to an introductory section, the opening part of the document is made up of four main sections that each contain questions. The four sections are:
- Introduction:
 - which explains what a Local Plan is and what it can contain
 - what has happened so far with Swale's Local Plan
 - why Swale are consulting on a Reg 18
 - how to comment on this consultation
 - what happens next.
 - What has influenced the development of the Local Plan:
 - National Planning Policy and Guidance
 - community and stakeholder engagement
 - other relevant plans and strategies and evidence base
 - environmental impacts.
 - Characteristics of the borough and the key issues and challenges to be addressed.
 - Vision and Objectives.
- 2.7 The Development Management (DM) policies have been grouped thematically into:
- Cross-cutting
 - Good design
 - Housing
 - Economic Development
 - Infrastructure

² [Campaigns - Highsted Park planning inquiry](#)

- Climate Change, Pollution & The Water Environment
 - Bio-diversity and Landscape
 - Historic Environment
- 2.8 Finally, there is a section on 'Implementation & Monitoring' which will be more detailed at Reg 19 stage, and the appendices which include a glossary and list of acronyms used throughout the document.
- 2.9 The Vision and Objectives are those which were recommended by PTPWG on 8th August 2024 and agreed at Policy and Resources Committee on 11th September 2024. There are questions in the consultation document about the vision and objectives, asking if the vision is positive, clear, realistic and ambitious and if the objectives align with the issues and challenges facing Swale.
- 2.10 There are no Strategic Policies sitting above the DM policies within this Reg 18. These would typically provide the high-level, long-term planning principles that guide development across a local area, setting out the key principles for growth, infrastructure, and the protection of areas. When looking at the DM policies, consultees will be reminded that this is a conscious omission at this stage. (As explained in paragraph 2.4 above.)
- 2.11 Strategic policies are, however, central to the planning system and will be included at the Reg 19 stage.
- 2.12 For the Development Management policy drafting, officers used the extensive informal engagement work that was undertaken with members during summer 2024. Policies have also been updated to reflect the revised National Planning Policy Framework (NPPF) that the Government published in December 2024 and other relevant guidance and evidence base documents that have been published.
- 2.13 Five new policies have been drafted for this Local Plan and these are all in the 'Climate Change, Pollution & The Water Environment' chapter. They have been added to reflect the ambitions and actions of the Council's Climate and Ecological Emergency and the associated Action Plan. The evidence base for these policies is the 'Net Zero Policy Development' work which consultants Bioregional and Edgars have carried out. UK Legislation, policy and guidance (including the NPPF) requires that Local Plans include policies to mitigate and adapt to climate change. In 2019 Swale Borough Council declared a climate emergency with a target for the borough to be net zero by 2045 (updated in 2025 from former target of 2030). In response to this, the Planning Policy team commissioned consultants to help prepare a Net Zero Policy evidence base. A separate report on this piece of evidence is earlier on the agenda at this meeting.
- 2.14 Table I in Appendix II lists all of the policies within the Reg 18 Local Plan with a commentary column explaining why it has been updated:
- To reflect to reflect the 2024 NPPF
 - To reflect new relevant legislation

- To reflect an updated and/or new evidence base documents
- 2.15 The table briefly highlights the nature of any change made.
- 2.16 After the consultation period closes, responses will be summarised. The main issues will be reported to a future meeting of this working group with recommendations on how said issues could be addressed in the draft submission Local Plan (Regulation 19.)

Sustainability Appraisal Scoping Report

- 2.17 The Sustainability Appraisal (SA) process considers how the Local Plan might influence the environmental, social, and economic characteristics of an area. It plays an important role in demonstrating that the plan is positively prepared and contributes towards sustainable development.³
- 2.18 SAs must incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the 'Strategic Environmental Assessment (SEA) Regulations').
- 2.19 The Scoping Report is the first stage in the sustainability appraisal process. It sets out the context and approach of the SA moving forward, and identifies relevant environmental, economic, and social issues and objectives for the plan area. The scoping process helps ensure the sustainability appraisal process is proportionate and relevant to the plan being assessed. A Scoping Report has already been undertaken for this Local Plan Review in 2018 but due to it now being 7 years old, it has been refreshed and is included in Appendix III.
- 2.20 The Scoping Report consultation process is a technical consultation and the process is set out in Planning Policy Guidance (Paragraph: 014 [Strategic environmental assessment and sustainability appraisal - GOV.UK](#)) It must be sent specifically to Historic England, Natural England and the Environment Agency. They have 5 weeks to respond.

Timeline and Consultation Process

- 2.21 The draft Local Plan timeline set out in Appendix IV, shows the challenging timeline between the Reg 18, Reg 19 and submission stages of the Local Plan which is required to meet the previously agreed ambition to submit before the wholesale changes to plan-making are introduced from January 2027.
- 2.22 It is for this reason that the Reg 18 consultation is proposed to last for six weeks, rather than the longer period recommended in the Council's recently adopted

³ The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Consultation Policy. This reduced period is considered appropriate in this case due to:

- It is imperative to meet the submission date
- Consultation dates have been highlighted to consultees suitably ahead of time
- The reduced scope of this Reg 18 exercise compared with past consultations

2.22 The consultation questions within the document will be able to be responded to online via the consultation portal, Objective, and as always, general comments on the documents can also be made. The Council will notify all those on Swale's Objective consultation database prior to the consultation to provide them with the dates of the consultation and links to the documents. All libraries in the borough and council offices (Sittingbourne, Faversham and Sheerness) will have hard copies of the documents available for inspection as well as The Swallows leisure centre in Sittingbourne whilst Sittingbourne Library is undergoing refurbishment.

2.23 Parish and Town Councils were made aware of the consultation period at a Local Parish Councils' Liaison Forum on 24th September 2025. Late representations from those groups who have been unable to arrange to meet during the consultation period to agree their response will be accommodated as far as possible.

3 Proposals

3.1 To recommend the Local Plan Reg 18 document in Appendix I and the draft Sustainability Appraisal Scoping Report Update in Appendix III to Policy and Resources Committee (P&R) for recommendation to Full Council (FC) for approval for consultation purposes.

3.2 To recommend that Policy and Resources Committee delegate to the Head of Planning, in consultation with the Planning and Transportation Policy Working Group (PTPWG) Chair, any minor amendments and corrections to the Local Plan Reg 18 document prior to the start of the consultation period.

4 Alternative Options Considered and Rejected

4.1 The Council could choose not to progress with a Local Plan review and not to publish the Reg 18 Local Plan. This would be contrary to central government expectations, and to the Council's Corporate Plan objective to "progress a Local Plan with local needs and capacity at its heart."

4.2 In the Planning and Transportation Policy Working Group paper 'Local Plan Review - Timetabling and Way Forward' on 15th July 2025, 10 options were set out for progressing the Local Plan. [Agenda for Planning and Transportation Policy Working Group on Tuesday, 15 July 2025, 7.00 pm](#)

- 4.3 The Council could choose not to include some, or all, of the 5 new policies in the climate change chapter and to only update existing policies. However, they will assist the Council to meet the aims of its Climate and Ecological Emergency, so this option is not recommended.
- 4.4 The Council could choose to produce fewer development management policies and to rely more heavily on policies within the National Planning Policy Framework. However, this does not allow for locally distinct policies that reflect the challenges and unique character of Swale, and is therefore not recommended.

5 Consultation Undertaken or Proposed

- 5.1 All formal stages of a Local Plan go through statutory consultation with the public, Parish/Town Councils, Statutory and Non-Statutory Consultees and local interest groups. Details of this can be seen in the draft Statement of Community Involvement.
- 5.2 A consultation programme is being drafted and will include press releases, a presentation to the Local Parish Councils' Liaison Forum, articles in Inside Swale, Swale's business newsletter, the Swale Green Grid newsletter, social media videos and FAQs. It will be shared with PTPWG members via an email update prior to the launch of the consultation.

6 Implications

Issue	Implications
Corporate Plan	The Local Plan supports the delivery of all of the Corporate Plan priorities: • Community • Economy • Environment • Health and housing • Running the Council The Plan contains a specific objective to 'progress a Local Plan with local needs and capacity at its heart.'
Financial, Resource and Property	The Local Plan work programme is fully funded across a combination of base budget, committed reserves and a contribution from the government's Local Plans Delivery Fund.
Legal, Statutory and Procurement	Preparation of a Local Plan is carried out under a national legislative and regulatory framework. Due to Swale's unique circumstances with the Highsted Inquiry, officers obtained legal advice on the robustness of the proposed approach in terms of

	both the content of the proposed Reg 18 and the timings. No concerns were raised.
Crime and Disorder	There are no direct crime and disorder impacts arising from this report. There will be policies within the Local Plan that will positively affect crime and disorder within Swale.
Environment and Climate/Ecological Emergency	The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making and these assess the environmental impact of the Local Plan as a whole. Five new innovative climate change policies have been included on Sustainable design and adaptation principles, Net zero operational carbon in new build residential development, Net zero operational carbon in new build non-domestic development, Embodied carbon and waste and Renewable energy development and infrastructure.
Health and Wellbeing	There are no direct health and wellbeing impacts arising from this report. There will be policies within the Local Plan that will positively affect the health and wellbeing of local residents.
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	There is a risk to the Council of not having a Local Plan as set out in section 4 of the 'Local Plan Review - Timetabling and Way Forward' report to Planning and Transportation Policy Working Group on 15 th July 2025.
Equality and Diversity	None identified at this stage, although the Local Plan Review itself will be subject to equality impact assessment at the next stage – Reg 19.
Privacy and Data Protection	Representations will be processed and published in line with the council's privacy and data protection policy.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Draft Regulation 18 Local Plan
- Appendix II: Table I: List of all of the policies within the Reg 18 Local Plan
- Appendix III: Draft Sustainability Appraisal Scoping Report Update, October 2025
- Appendix IV: High Level Local Plan Timetable

8 Background Papers

- 8.1 Local Plan Review - Timetabling and Way Forward [Agenda for Council on Wednesday, 30 July 2025, 7.00 pm](#)
- 8.2 Draft Statement of Community Involvement. [\(Public Pack\) Agenda Document for Planning and Transportation Policy Working Group, 16/09/2025 19:00](#)