Guidance notes for those wishing to make representations:

Wealden Proposed Submission Local Plan (Regulation 19)

How to make an effective representation at the publication stage

Period to make representations: Monday 21 September 2026 to Monday 2 November 2026 at 5pm.

1. Purpose of this guidance

This note is intended to help those wishing to make representations on the Wealden Proposed Submission Local Plan prepare clear and helpful representations. At this stage, the plan has been published so that representations can be made prior to it being submitted for independent examination to the Secretary of State[1].

Unlike earlier consultation, this stage is more formal meaning representations should focus on whether the plan is legally compliant and whether it has met the tests of 'soundness'. The Inspector will consider representations made within the Regulation 19 period to submit representations when examining the plan.

2. How do I view the Plan and its supporting documents?

You can read the Local Plan, evidence base, supporting documents and full details of this stage in the process on our website at https://www.wealden.gov.uk/planning-and-building-control/planning-policy/new-local-plan/ .

Hard copies of the Local Plan and key documents, including the Sustainability Appraisal, are also available at the Council Offices, libraries and several town and parish council offices. Please see the website for the full list of locations.

3. What you can I make a representation about?

You may support or object to the Proposed Submission Local Plan, a policy, a site allocation, the policies map, a supporting document, or part of the evidence base. Your representation should explain clearly which part of the plan you are referring to and why and should:

- State the policy, paragraph, map, site allocation or document you are referring to;

[1] Planning Inspectorate: Local Plans: the examination process legacy and new system, June 2026

- Say whether you consider that part of the plan to be legally compliant or ‘sound’;
- Explain what change you think is needed to make the plan legally compliant or sound; and
- Provide evidence or reasoning to support your view where possible.

4. Legal compliance

Legal compliance concerns whether the Council has followed the requirements that apply to preparing and publishing a local plan. This includes the relevant planning legislation, regulations, procedures and required assessments.

When referring to legal compliance, consider whether the plan has been prepared in accordance with the Local Development Scheme[2], whether the process has followed the Statement of Community Involvement[3], whether required documents have been made available, and whether supporting assessments such as Sustainability Appraisal[4] and Habitats Regulations Assessment[5] have been prepared where required.

The plan must include policies that are designed to ensure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. It must be prepared in accordance with the Equality Act 2010[6] and comply with all other relevant legal requirements including the Planning and Compulsory Purchase Act 2004[7] and the 2012 Regulations[8], which includes following the necessary steps including publicity requirements.

5. Duty to Cooperate

The "Duty to Cooperate" was a legal requirement under the Localism Act 2011, requiring that local planning authorities engage constructively on cross-boundary strategic matters. The duty to cooperate required constructive, active and ongoing engagement on strategic cross-boundary matters during plan preparation.

This legal duty was officially removed on 25 March 2026 thereby removing this requirement for plans in the current system. Albeit that Council’s should continue to collaborate across their boundaries and Inspectors should continue to examine plans in line with the policies in the NPPF on ‘maintaining effective co-operation’. Instead of a rigid legal test, the focus has now shifted to assessing how effectively authorities collaborate with each other on strategic matters[9].

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[2] Wealden District Council Local Development Scheme (LDS), January 2026
[3] Statement of Community Involvement (SCI), November 2025
[4] Wealden Local Plan Sustainability Appraisal, September 2026
[5] Wealden Local Plan Habitats Regulation Assessment (HRA), September 2026
[6] Equality Act 2010
[7] Planning and Compulsory Purchase Act 2004
[8] The Town and Country (Local Planning) (England) Regulations 2012
[9] These are generally listed under paragraph 20 of the National Planning Policy Framework (NPPF), December 2024.

6. Soundness

The Inspector will assess whether the plan is 'sound'[10]. To be sound, a local plan should be positively prepared, justified, effective and consistent with national policy.

Test of soundness	What this means
Positively prepared	The plan should provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
Justified	The plan should provide an appropriate strategy, taking into account reasonable alternatives and based on proportionate evidence.
Effective	The plan should be deliverable over the plan period (to 2042) and based on effective joint working on cross-boundary strategic matters.
Consistent with national policy	The plan should enable the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

7. How to structure your representation

A clear representation will help the Inspector understand your view. You may wish to use the following structure:

1. Identify the part of the plan you are referring to.
2. State whether you support or object to it.
3. Explain whether your representation relates to legal compliance, or one or more tests of soundness.
4. Set out your reasons clearly and concisely.
5. Suggest specific wording or changes if you consider the plan should be modified.
6. Include evidence or references where these support your representation.

If you have made a representation seeking a change to the plan, you may be asked whether you wish to take part in examination hearing sessions. The Inspector will decide which matters require discussion and who is invited to participate.

[10] See paragraph 36 of the NPPF, December 2024.

8. How to submit your representations

Our preferred way to respond is through our online portal at https://consult.wealden.gov.uk/kse/.

You can also complete our response form and send it:

- by email to planningpolicy@wealden.gov.uk; or
- by post to Planning Policy, Wealden District Council, Vicarage Lane, Hailsham, East Sussex BN27 2AX

You may provide a representation in writing and send in using the contact information above. Although please do consider using the online portal or response form as this helps structure your representation in a way that is most useful for the examining Inspector.

Please note that we will not acknowledge forms or letters received by post.

Please use the above email address or telephone the Planning Policy team on 01892 602008, if you would like any further information, help or assistance.

We are required to publish all representations received. We are unable to accept anonymous representations or representations from those who do not wish for it to be made public. This is due to the requirements of Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012, which requires us to submit a Statement including copies of all representations made to the Regulation 19 Publication. If you make a representation, your name, organisation (if relevant) and representation(s) (or summary of it) will be made public.

Please note, all representations must be received by 5pm on Monday 2nd November, we cannot accept late submissions. It is your responsibility to ensure that they are received by the deadline.

9. If you wish to use our Response Form

Please note the response form has two parts, namely A and B. Part A only needs to be completed once. Please fill in and complete a separate part B for each representation you wish to make.

PART A - Personal and Agents Details – To be completed ONCE.

Where groups or individuals share a common view on the Plan, a single representation which represents that view may be submitted, rather than many separate representations repeating the same points. In such cases the group should complete the represented organisation detail on the response form and indicate how many people it is representing.

PART B – Please use a separate sheet for each representation.

Please return your forms using the contact details under section 9 above.

10. Responsible use of artificial intelligence AI

You may use artificial intelligence (AI) tools to help structure or draft your representation, but you remain responsible for checking that the final submission accurately reflects your own views. Make sure it relates specifically to the relevant policy, site or document; focuses on legal compliance and/or soundness; and uses accurate, verifiable evidence. Check all references to policies, legislation and case law, remove generic or repetitive material, and do not include personal or confidential information in an AI tool. The Planning Advisory Service[11] advises that effective representations should be clear, proportionate, evidence-based and specific to the plan

11. What happens after the period for representations closes?

Once the deadline has passed on Monday 2 November 2026 at 5pm, the Council will review the representations received and summarised those representations and then take the Proposed Submission Wealden Local Plan to Full Council in order to gain approval to submit the plan, supporting documents and duly made representations to the Secretary of State for independent examination. An Inspector will then consider whether the plan meets the relevant legal requirements and tests of soundness.

Data Protection Statement

Wealden District Council is committed to protecting personal data. We will collect, use, share, store and otherwise process your personal data when it is necessary to:

- Carry out tasks in the public interest or in the exercise of our official authority;
- Meet our legal or statutory obligations; or
- Deliver the services you have requested.

Occasionally, we process personal data when it is necessary for the purposes of a legitimate interest (including those of our partners or third parties), necessary to protect an individual's vital interests, or where you have given your consent.

We may share your personal data with other Council departments, service providers, other public bodies, and trusted partners in the circumstances listed above. We will only share the minimum information required.

For further information about how we collect, use, share and safeguard your personal data, and your legal rights, please see our **Privacy Policy** at:
www.wealden.gov.uk/privacypolicy

[11] Planning Advisory Service (PAS)