



## Examination of Newham Local Plan

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### IN9: Main modifications and additional (minor) modifications

I advised in my Guidance Note published in August 2025 that the starting point for the examination was that the Council submitted a Plan which it considered to be ready for examination<sup>1</sup>. Once the Plan had been submitted there were only two means by which changes could be made to it:

- as main modifications recommended by me; or
- as additional (minor) modifications made by the Council.

Main modifications are changes to the Plan that are essential to ensure it is sound and legally compliant.

Additional (minor) modifications are changes which (taken together) do not materially affect the policies that would be in the Plan if it was adopted with the main modifications but no other modifications<sup>2</sup>. They may be made by the Council on adoption and do not fall within the scope of the examination.

The Council included a schedule of potential modifications to the Plan with the documents that it submitted for examination on 18 July 2025<sup>3</sup>. I advised in my Guidance Note that, whilst those modifications did not form part of the Plan that I am examining, they may become relevant during the examination when the Council considers the questions that I ask about the soundness and legal compliance of the Plan.

The Council subsequently proposed modifications to the Plan in response to my preliminary questions and matters issues and questions. The modifications relating to matters 1 to 4 were set out in a schedule published on 21 November 2025<sup>4</sup> which was updated on 9 December 2025<sup>5</sup>. Most of those potential modifications were discussed at the week 1 and week 2 hearing sessions.

<sup>1</sup> Section 20(2) of the Planning and Compulsory Purchase Act 2004 (as amended).

<sup>2</sup> Section 23(3) of the 2004 Act.

<sup>3</sup> SD004.

<sup>4</sup> ED6.

<sup>5</sup> ED14.

An updated schedule of the Council's potential modifications, which also includes those proposed in its written statements for matters 5 to 16 and in response to week 1 and 2 action points, was published on 9 January 2026<sup>6</sup>. Further modifications may be proposed following the week 3 and 4 hearing sessions, and potentially later in the examination.

Section 17(5) of the 2004 Act states that if to any extent a policy set out in a local plan conflicts with any other statement or information in the document the conflict must be resolved in favour of the policy. As stated above, the Council can make additional (minor) modifications when the Plan is adopted that do not materially affect the policies. I therefore said in my matters, issues and questions<sup>7</sup> that my assessment of soundness would focus on the wording of the policies in the Plan, rather than adding or changing detailed wording in the reasoned justification, implementation guidance or other text that is not policy (unless that is essential for soundness).

Many of the modifications proposed by the Council are to parts of the Plan that are not policies. Some of those may "improve" the Plan, not be essential to make it sound or legally compliant. Others may be additional (minor) modifications that do not materially affect the Plan's (modified) policies.

The Council is requested to submit a revised version of ED??? that clearly indicates (for example, by use of reference numbers and/or colour coding) which of the following categories it considers each of the potential modifications falls within:

- Main modifications that are essential to make the Plan sound or legally compliant.
- Additional (minor) modifications that do not materially affect the policies that would be in the Plan if it was adopted with the main modifications but no other modifications.
- Modifications that "improve" the Plan, but which do not fall into either of the above two categories.

The Council is requested to submit the revised schedule by **midday on Thursday 15 January 2026**. This will help focus the discussions at the week 3 and 4 hearing sessions.

*William Fieldhouse*

12 January 2026

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<sup>6</sup> ED20

<sup>7</sup> IN3 page 14.