

## Examination of Newham Local Plan

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**Examination website:** [Local Plan Examination Overview – Newham Local Plan Examination – Newham Council](#)

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## IN1: Inspector's Guidance Notes

### Introduction

The Newham Local Plan ("the Plan") was submitted for examination on 18 July 2025.

I was appointed by the Secretary of State on 21 July 2025 to conduct the examination under section 20 of the Planning and Compulsory Purchase Act 2004. This note provides initial guidance on the procedural and administrative arrangements for the examination.

Further general information about the local plan examination process can be found in the Planning Inspectorate's Procedure Guide for Local Plan Examinations and other documents at [Local Plans: the examination process - GOV.UK](#).

### Programme Officer

Charlotte Glancy is the Programme Officer ("PO") for the examination. She is working under my direction and is independent of the Council. Her contact details are given above.

The main tasks of the PO are to act as the channel of communication between me, the Council and all the other participants; to liaise with all parties to ensure the smooth running of the examination; to organise the programme of hearing sessions; and to oversee the publication of documents and news updates on the examination website.

Any procedural questions or other queries about the examination should be directed to the PO.

### Examination website

The examination website [Local Plan Examination Overview – Newham Local Plan Examination – Newham Council](#) is independent of the Council, and its content is controlled by me and the PO. All of the documents submitted by the Council (including the Plan, Policies Map,

submission and supporting documents, and representations) are available on it and any documents that I publish, ask for, or accept will be added in due course.

If any representor does not have access to the internet, they should contact the PO who will endeavour to make alternative arrangements for accessing documents and receiving information about the examination.

## Role of the Inspector

My task is to consider whether the submitted Plan complies with the relevant legislation and is sound. The National Planning Policy Framework (NPPF) published in February 2025 includes a transitional arrangement<sup>1</sup> that means I will examine the Plan in the context of NPPF published in December 2023. NPPF states that local plans are sound if they are:

- **Positively prepared** – providing 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** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- **Effective** – deliverable over the plan period, and based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the NPPF’s policies and other statements of national policy, where relevant.

There are three possible outcomes to the examination:

- The submitted Plan is sound and legally compliant.
- The submitted Plan is not sound and/or legally compliant, but could be made so by changes (known as main modifications) based on limited additional work<sup>2</sup>.
- The submitted Plan is not sound due to fundamental issues that could not be addressed by limited additional work. In those circumstances, I would be likely to recommend that the Council withdraws the Plan. The same would apply if there is a failure of legal compliance which cannot be remedied.

At the end of the examination, I will prepare a report for the Council setting out my conclusions and recommendations. My report will deal with the main issues of soundness and legal compliance, taking into account the representations made but without responding to each of them.

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<sup>1</sup> NPPF 234(d).

<sup>2</sup> Minister’s letter to The Planning Inspectorate dated 30 July 2024 <https://www.gov.uk/government/publications/local-plan-examinations-letter-to-the-chief-executive-of-the-planning-inspectorate-july-2024> advised that any pauses to undertake additional work during an examination should usually take no more than six months overall.

## Changes to the Plan

The starting point for the examination is that the Council has submitted a Plan which it thinks is ready for examination<sup>3</sup>. Now that the Plan has been submitted there are only two means by which changes can be made to it:

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

I can only recommend main modifications if they are necessary to make the submitted Plan sound and/or legally compliant. I cannot recommend changes to “improve” the Plan.

The Council has submitted a schedule of proposed modifications to the Plan<sup>4</sup>. However, these do not form part of the Plan that I am examining, some may be additional (minor) modifications, and some may be changes that could “improve” the Plan but are not essential for soundness or legal compliance. If I identify that a part of the Plan needs to be modified, I will make that clear during the examination and invite the Council to propose a main modification to make the Plan sound. It is possible that one of the submitted proposed modifications may be relevant in that case. I am not, therefore, considering the Council’s schedule of proposed modifications at this stage, but some of them may become relevant later in the examination<sup>5</sup>.

Any potential main modifications that I do decide are necessary will be subject to public consultation before I recommend them in my report. Main modifications are also likely to require further sustainability appraisal and habitat regulations assessment.

Additional modifications (sometimes also referred to as “minor modifications”) are changes which do not materially affect the policies in the Plan. They may be made by the Council on adoption and do not fall within the scope of the examination.

## Representations made about the Plan

The Council has prepared a Regulation 22 Consultation Statement<sup>6</sup>. This includes details of the consultation that has taken place on the Plan, a summary of the main issues raised in the representations, and the Council’s responses to those issues.

A total of 3,272 representations were made about the Plan by 335 representors under regulation 20 (ie during the consultation held from 19 July until 20 September 2024)<sup>7</sup>. They are all available to view on the examination website. I will take these representations into account in my consideration of legal compliance and soundness. I will not consider representations made to the Council at earlier stages of the draft Plan (under regulation 18).

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<sup>3</sup> Section 20(2) of the Planning and Compulsory Purchase Act 2004 (as amended).

<sup>4</sup> SD004.

<sup>5</sup> See Procedure Guide for Local Plan Examinations paragraph 1.6.

<sup>6</sup> SD017.

<sup>7</sup> SD017 section 3.9.

## **Preliminary Questions to the Council**

Following my initial assessment of the Plan, evidence and representations, it is likely that I will publish some Preliminary Questions for the Council to respond to in writing. This will be to provide clarity and potentially narrow down the focus of the examination. If, following consideration of my Preliminary Questions, the Council think that main modifications are required to make the Plan legally compliant and/or sound, they should make that clear and propose modified wording for my consideration (submitted schedule SD017 may be relevant at this stage). The Council's written responses to my Preliminary Questions will be published.

## **Matters, Issues and Questions**

Following my consideration of all of the evidence and representations, and the Council's responses to any Preliminary Questions, I will publish the Matters, Issues and Questions that will be the focus of the examination.

## **Written statements**

When I publish my Matters, Issues and Questions I will ask the Council to provide written statements responding to all of the questions. As with my Preliminary Questions, if in responding the Council thinks that main modifications are required, they should set those out for my consideration (again, this is where SD017 may be relevant).

Representors will also be able to submit written statements responding to questions relevant to the issues raised in their regulation 20 representations.

Deadlines will be set for the receipt of statements by the PO, and there may be different deadlines for different Matters. Late statements will not be accepted. Further information about the format and content of written statements will be published alongside my Matters, Issues and Questions.

## **Duty to Cooperate and Statements of Common Ground**

A Duty to Cooperate Statement<sup>8</sup> and associated Statements of Common Ground with neighbouring local planning authorities and prescribed bodies<sup>9</sup> have been submitted by the Council and are in the examination library. Some additional Statements of Common Ground with representors are also in the library<sup>10</sup>. I may decide that it would be helpful if the Council drew up further Statements of Common Ground with particular representors relating to specific parts of the Plan. If that is so, I would advise the Council accordingly and set deadlines by which any such statements should be provided.

## **Other written material**

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<sup>8</sup> SD051 and SD052.

<sup>9</sup> SD053 to SD069.

<sup>10</sup> SOCG001 to SOCG007.

Unless specifically requested by me, no further representations, evidence or other written material should be submitted to the examination by the Council or anyone else.

## **Examination hearings**

An important part of the examination will be the hearings that I will hold to help me determine if the Plan is legally compliant and sound and, if not, how it could be modified to ensure that it is. The hearings will allow me to focus on particular parts of the Plan and relevant evidence that I need to ask questions about. Not all parts of the Plan will be discussed at the hearings as for some I will have all of the information that I need in writing.

The hearings will be public events and are likely to be held at **Newham Council Office, 1000 Dockside Road, London E16 2QU**. As well as representatives for the Council, some representors may also participate. However, only those individuals and organisations who have made representations under regulation 20 seeking to change the Plan have a right to participate.

When I publish my Matters, Issues and Questions, the PO will ask representors if they wish to participate in the hearings. All representors who do wish to participate must respond at that time, irrespective of what they indicated in their regulation 20 representations. If representors do not respond to the PO by the deadline set, I will assume that they do not wish to participate.

I will have read the representations and any written statements before the relevant hearing session. Participation is therefore only likely to be necessary if a representor thinks that they will want to respond to questions that I ask or to points that others may make during the hearing. Representors will normally only take part in the hearing session that is relevant to the main issue or issues that they raised in their regulation 20 representations.

Representors who are not seeking changes to the Plan, including those who have made representations supporting it, do not have a right to take part in the hearings. However, I may invite additional participants if I think that would assist me in determining the soundness or legal compliance of the Plan.

Dates of the hearings, along with detailed information about how to participate or observe, will be published on the examination website nearer the time. Representors will be informed at least six weeks in advance of the date of the opening hearing session<sup>11</sup>.

## **Omission sites**

Some representations are concerned with what are known as “omission sites”. These are sites which have not been allocated in the Plan for development. However, my role is to examine the soundness of the submitted Plan, rather than

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<sup>11</sup> Regulation 24 of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

omission sites. I am unlikely, therefore, to ask any written questions about omission sites or discuss any at the hearing sessions.

### **Site visits**

I will carry out site visits before, during, or after the hearings as necessary to inform my assessment of the soundness of the Plan. All site visits will be unaccompanied, unless I need to go onto private land, in which case I will make the necessary arrangements via the PO.

### **Close of the examination**

The examination will close when my report is submitted to the Council.

### **Provisional examination programme 2025 / 2026**

Aug / Sep	Inspector's initial assessment of Plan, evidence and representations. Inspector's Preliminary Questions to the Council.
Sep / Oct	Inspector's Matters, Issues and Questions. Representors asked if they wish to participate at hearings.
Nov / Dec	Deadlines for written statements from Council and representors in response to Matters, Issues and Questions.
Dec / Jan	Hearing sessions.

This provisional programme is indicative only at this stage and could change. A more detailed programme, with specific dates, will be published in due course.

### **Further information**

Published information about the preparation and examination of local plans is available as follows:

[Local plans: guidance and information from the Planning Inspectorate - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/local-plans-guidance-and-information-from-the-planning-inspectorate)

- Local Plans: the examination process
- Procedure Guide for Local Plan Examinations
- Local Plans: taking part in examinations (short guide)

[National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/national-planning-policy-framework)

- National Planning Policy Framework
- Planning Practice Guidance

<http://www.legislation.gov.uk/>

- Planning and Compulsory Purchase Act 2004 (as amended)

- The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Any queries about this note should be taken up with the PO.

*William Fieldhouse*

14 August 2025

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