

Maldon District Council
Mayland Neighbourhood Plan
Draft Decision Statement



MALDON
DISTRICT COUNCIL

1. Summary

- 1.1 Following an Independent Examination, Maldon District Council confirms that the Mayland Neighbourhood Plan, as recommended to be modified by the Examiner, will proceed to a Neighbourhood Planning Referendum.
- 1.2 In this case, the Mayland Neighbourhood Plan also includes the Mayland Design Guidance and Design Codes.
- 1.3 This Decision Statement sets out Maldon District Council's response to each of the Examiner's recommendations.
- 1.4 The Referendum will be held in 2025.

2. Background

- 2.1 The Mayland Neighbourhood Plan and Design Guidance and Codes relates to the Neighbourhood Area designated by Maldon District Council on 30 June 2014. The area comprises the Mayland Parish Area. The Neighbourhood Area is wholly within the Local Planning Authority area.
- 2.2 Mayland Parish Council undertook a pre-submission consultation on the draft Plan in accordance with Regulation 14 of The Neighbourhood Planning (General) Regulations 2012 (as amended). This took place for an 8-week period, between 1 October 2023 and 1 December 2023.
- 2.3 Following the submission of the Mayland Neighbourhood Plan to the Council on 15 February 2024, the Council publicised the draft Plan for a 7-week period and representations were invited in accordance with Regulation 16 of The Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation took place between 4 October 2024 and 22 November 2024.
- 2.4 The Council appointed Christopher Lockhart-Mummery KC, with the agreement of Mayland Parish Council, to undertake the Examination of the Mayland Neighbourhood Plan. The Examiner's final report was received by the Parish Council on 11 April 2025.

3. Decision and reasons

- 3.1 The Examiner's report concludes that subject to making the recommended modifications, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum. The Examiner also recommends that the referendum area is consistent with the Neighbourhood Area that was designated by the Council on 30 June 2014.
- 3.2 The Neighbourhood Planning (General) Regulations 2012 (as amended) requires in Regulation 18 the Local Planning Authority to outline what action to take in response to the recommendations of an Examiner in relation to a Neighbourhood Plan.
- 3.3 Having considered each of the recommendations in the Examiner's report and the reasons for them, the Council, with the agreement of Mayland Parish Council, has decided to accept the recommended modifications to the Mayland Parish Neighbourhood Plan set out in Table 1 below. This decision was made at Council on 11 June 2025.
- 3.4 The Council considers that subject to the modifications set out in Table 1 below, the Plan meets the basic conditions set out in the legislation.
- 3.5 The Council is also required to consider whether to extend the area to which the referendum is to take place under Regulation 18(1e). The Examiner recommended that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Maldon District Council as the Neighbourhood Area. The Council has considered this recommendation and the reasons for it and has decided to accept it.
- 3.6 The Referendum on the Mayland Neighbourhood Plan will be based on the designated Mayland Parish Neighbourhood Area (see map on page 7).
- 3.7 To meet the requirements of the Localism Act 2011 and The Neighbourhood Planning (Referendums) Regulations 2012 (as amended), a referendum which poses the question "Do you want Maldon District Council to use the Neighbourhood Plan for Mayland to help it decide planning applications in the neighbourhood area?", will be held in 2025.

18 June 2025

Table 1 Mayland Neighbourhood Plan – Independent Examiner’s recommended changes**Key:**Underlined text is new text~~Crossed out text (example) is
deleted~~

Note: Only the Examiner’s recommended changes are outlined in the table below. The full Examiner’s report can be found on Maldon District Council’s website, under the Mayland Neighbourhood Planning page: [Mayland | Community Led Planning & Neighbourhood Plans | Maldon District Council](#).

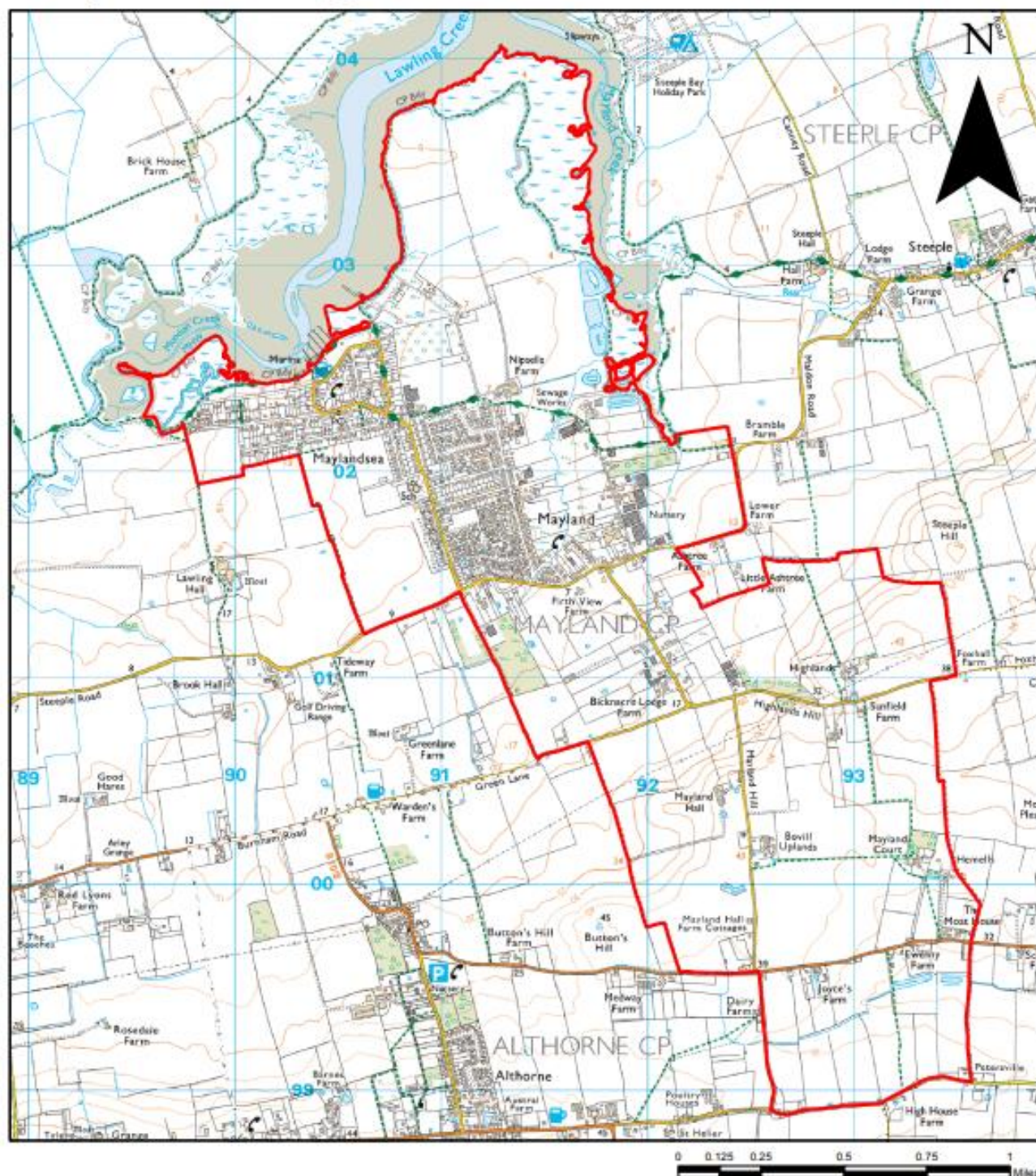
| Section / Policy | Examiner’s recommended changes | Maldon District Council’s decision and reason |
|--|---|--|
| Policy MAY G6: Home working | <p>Policy wording amended:</p> <p><i>Insofar as planning permission is required proposals which would <u>will</u> assist home working within the Neighbourhood Plan area will be supported subject to compliance with other policies in the Development Plan, where the use of the home for employment purposes is ancillary to the main residential use of the building. <u>Applications for the construction of garden studios to facilitate home working will be required to consider the impact on the amenity of neighbouring properties, including overlooking and potential acoustic disturbances.</u></i></p> | Agreed. The amended wording provides clarity. |
| Policy MAY D2: Sustainable and energy efficient buildings | <p>The amendment relates to paragraph 2 of the policy only:</p> <p><i>All Homes must be ‘Future Homes Standard’ ready as a minimum. Proposals for net zero development that exceed the Future Home Standard and which are in line with the Greater Essex Planning Policy Position for Net Zero Carbon Development will be supported.</i></p> | Agreed. The amended wording provides clarity and ensures consistency with national legislation and the approved LDP which is in the process of being reviewed. |
| Policy MAY E1: Recreational disturbance, avoidance and mitigation | <p>The amendment relates to paragraph 1 of the policy only:</p> <p><i>All residential <u>qualifying new</u> development within the zones of</i></p> | Agreed. The amended wording rightly strengthens the policy. |

| Section / Policy | Examiner's recommended changes | Maldon District Council's decision and reason |
|---------------------------------|--|--|
| | <p><i>influence of European Sites should <u>be required to</u> make an appropriate financial contribution towards mitigation measures, as detailed in <u>accordance with</u> the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document, to avoid adverse in-combination recreational disturbance effects on European Sites.</i></p> | |
| Policy MAY E2: Biodiversity | <p>The amendment relates to paragraph 1 of the policy only:</p> <p><i>Development proposals must manage impacts on biodiversity and secure a minimum net biodiversity gain of 10% on-site as far as practicable, as demonstrated through use of the most up-to-date version of the Defra biodiversity metric (or any successor document to this) and submission of a biodiversity net gain plan submitted as part of planning application material. This should be informed by current site conditions and with any proposed habitat creation being appropriate to local context. This applies to all developments, including smaller sites, which should make use of the Small Sites Toolkit published by Defra as part of the biodiversity metric. The management plan should show how biodiversity net gains shall be managed in perpetuity.</i></p> | Agreed. Removal of 'in perpetuity' ensures the policy is consistent with national legislation. |
| Policy MAY A2: Public transport | <p>The amendment relates to paragraph 1 of the policy only:</p> <p><i>New development is required to provide or contribute to new and enhanced bus services and supporting infrastructure including bus stops, shelters, travel packs and real time information, <u>where the tests in paragraph 58 of the NPPF are met</u>. Any new routes should connect with existing public transport interchanges and access wider destinations.</i></p> | Agreed. The amendment ensures the policy is consistent with the NPPF. |
| Policy MAY A5 | The amendment relates to paragraph 1 | Agreed. The amended wording strengthens the |

| Section / Policy | Examiner's recommended changes | Maldon District Council's decision and reason |
|---|---|---|
| | <p>of the policy only:</p> <p><i><u>National policy requires that an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles is to be ensured. To that end, where electric vehicle charging is proposed, such infrastructure shall be located sensitively to ensure that there are no harmful impacts upon pedestrian circulation or the immediate appearance of the street scene and wider townscape. Infrastructure shall be designed to minimise visual clutter, hindrance and hazard to pedestrians and other street users.</u></i></p> | <p>policy and is consistent with the NPPF.</p> |
| <p>Design Guidance and Codes Report:</p> <p>SP 03 Car Parking Solutions</p> | <p>The amendment relates to the first paragraph of SP 03 contained within the Design Guidance:</p> <p><i><u>Parking areas are a necessity but do not need to be unsightly or dominate streetscenes. New development should have regard to the EPOA Parking Guidance-Maldon District Council Vehicle Parking Standards SPD, or any successor document.</u></i></p> | <p>Agreed. The Plan and Design Guidance must be consistent and should reference the Parking Standards adopted by the Council which in this case are the standards contained in the Maldon District Vehicle Parking Standards SPD.</p> |
| <p>General comments</p> | <p>There are a considerable number of instances where the grammar of the text or policy needs correcting, together with spelling etc.</p> | <p>Agreed. Grammar and spelling must be correct.</p> |
| <p>Other matters</p> | <p>All policy and data references should be updated to the latest available reference. All references to the (superseded) NPPF should be amended to accord with the latest (2024) version. All references to guidance/reference documents published by MDC and Essex County Council should be checked and updated as necessary.</p> | <p>Agreed. The Mayland Neighbourhood Plan and Design Guidance and Codes Report must both refer to the latest data and policy.</p> |

Figure 1 Mayland Neighbourhood Plan Area

Mayland Neighbourhood Area



1:26,400

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Maldon District Council 100018588 2017