



REPORT of ASSISTANT DIRECTOR - PLANNING AND IMPLEMENTATION

to
COUNCIL (EXTRAORDINARY)
11 SEPTEMBER 2025

MAKING THE MAYLAND NEIGHBOURHOOD PLAN

1. PURPOSE OF THE REPORT

- 1.1 The Mayland Neighbourhood Plan (MNP) (at **APPENDIX 1**) which includes the Mayland Design Guidance and Codes Report (at **APPENDIX 2**) has successfully passed its referendum. Following the referendum, it automatically became part of the statutory Development Plan for the District however by law, Maldon District Council (the District Council) needs to formally 'make' the MNP part of the Development Plan. A Decision Statement will be published upon 'making' the MNP (see draft at **APPENDIX 3**).

2. RECOMMENDATION

That the Council 'makes' the Mayland Neighbourhood Plan in accordance with section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.

3. SUMMARY OF KEY ISSUES

3.1 Referendum

- 3.1.1 At the Council meeting on 17 June 2025, the District Council made the decision to accept the Examiner's recommendations and that the MNP (as modified by the Examiner's Report) should proceed to referendum.
- 3.1.2 The District Council published its Decision Statement on 18 June 2025 to confirm that the MNP, as modified, met the Basic Conditions and other legal requirements.
- 3.1.3 The referendum was held on 31 July 2025. The Referendum asked 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?*'
- 3.1.4 93% of those who voted were in favour of the Plan.

Mayland Referendum Results

Yes	606
No	45
Rejected ballots	1
Total votes cast	652

3.2 Decisions and reasons

- 3.2.1 Under section 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended), the District Council is required to 'make' a Neighbourhood Plan if more than half of those voting have voted in favour of the Plan. 93% of the votes cast were in favour of the MNP.
- 3.2.2 Under section 38A (6), a Council is not subject to this duty if the making of the Plan would breach, or would otherwise be incompatible with, any European Union (EU) obligation (as transposed into UK law) or any of the Convention Rights (within the meaning of the Human Rights Act 1998). Maldon District Council has assessed that the MNP, including its preparation, does not breach, and is therefore compatible with these obligations. Therefore, the MNP can be formally 'made' part of the District's Development Plan.

3.3 Neighbourhood Plan Status

- 3.3.1 Planning applications in the Neighbourhood Area must be considered against the MNP, as well as existing planning policies such as the approved Maldon District Local Development Plan (2017), the National Planning Policy Framework and National Planning Practice Guidance. The Neighbourhood Area is the same area as the parish area for Mayland; it includes the settlements of Mayland and Maylandsea.

4. CONCLUSION

- 4.1 The MNP was developed by the Parish Council through extensive engagement with the local community, culminating in a Referendum on 31 July 2025. The majority of those who voted, voted for the Neighbourhood Plan. Following the referendum, the Plan automatically became part of the Development Plan for the District. The District Council now needs to complete the statutory process by formally 'making' the Neighbourhood Plan as part of the Development Plan for the district and publishing the Decision Statement (see draft at **APPENDIX 3**).

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Supporting our communities

- 5.1.1 The Neighbourhood Plan provides additional localised planning policies for future development in the parish of Mayland. It will help to protect the residential amenity of existing and future residents in Mayland.

5.2 Protecting our environment

- 5.2.1 The Neighbourhood Plan provides localised planning policies for future development in the parish of Mayland, specifically including policies that will protect and enhance the environment.

6. IMPLICATIONS

- (i) **Impact on Customers** – Neighbourhood Planning gives communities the opportunity to directly plan the future of their area. The 'making' of the MNP brings the influence of that engagement to fruition.

- (ii) **Impact on Equalities** – Neighbourhood Planning has the potential to identify and manage local equality issues and must be prepared taking into account relevant equalities legislation. The MNP has been independently examined for its compliance with relevant legislative requirements including human rights.
- (iii) **Impact on Risk (including Fraud implications)** – Neighbourhood Plans can reduce risk in the development management process by providing support for the Council in determining planning applications and defending planning appeals.
- (iv) **Impact on Resources (Financial)** – The Council is required to pay for the Examination and the Referendum. In previous years, a Council could apply for a Ministry of Housing, Communities and Local Government (MHCLG) grant once the Referendum date has been set, however there are presently no details of whether the MHCLG grant will be available in 2025 / 26. If the grant becomes available, the Council will apply for the grant at the next application window.
- (v) **Impact on Resources (Human)** – The Neighbourhood Plan adds to the Development Plan documents used in the determination of planning applications, and it further strengthens the planning policies for the parish. Neighbourhood Plans can reduce risk in the development management process by providing support for the Council in determining planning applications and defending planning appeals
- (vi) **Impact on Devolution / Local Government Reorganisation** - The Neighbourhood Plan will not impact on Devolution or Local Government Reorganisation and would become a policy inherited by any future Unitary Authority the Maldon District falls within.

Background Papers:

Information on the Mayland Neighbourhood Plan Area designation, Regulation 14 and 16 consultations and the Examination can be found on the MDC website at: [Mayland | Community Led Planning & Neighbourhood Plans | Maldon District Council](#)

Enquiries to: Louise Staplehurst, Principal Planning Policy Officer