

Waverley Inquiry – Pitches 1 & 2 Stovolds Hill

Note to Inspector on Need and the new NPPF

Steve Jarman – ORS

9 September 2026

1. The primary purpose of this Note is to provide an update in relation to changes made to the NPPF in August 2026, as requested by the Inspector.
2. In addressing these key NPPF updates, this Note also provides a factual response to the comments made by Dr Murdoch in his Rebuttal Proof of Evidence regarding the "Updated Note to Inspector on 5-Year Supply for Gypsies and Travellers – 17 August 2026.
3. Having reviewed the new NPPF I have concluded that this does not affect the assessment of need that has been identified in the new Waverley GTAA as the relevant definitions of Travellers have not been changed in Annex B.
4. I can confirm that I was the author of the Note dated 17 August 2026.
5. I have can confirm that the planning reference to the site that was approved at Ranch Park in March 2026 is WA/2026/00215.
6. Having reviewed the Rebuttal from Dr Murdoch the two key points raised in relation to the new NPPF are:
 - Whether the sites/pitches relied on as supply in the Councils 5-Year Supply Statement still meet the NPPF deliverability tests set out in Annex B; and
 - Whether the NPPF Planning Definition of a Traveller in Annex B would result in a higher level of need from households living in bricks and mortar.

Deliverability and 5-Year Supply

7. Annex B in the new NPPF now contains the current planning definition of *Deliverable* in relation to housing:

Deliverable: *To be considered deliverable, sites for housing or other pitches and plots should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that homes will be delivered on the site within five years. In particular:*

(a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long-term phasing plans).

(b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield land register, it should only be considered deliverable where there is clear evidence that homes will be delivered on-site within five years.
8. There are 3 elements of supply set out in the Waverley 5-Year Supply Statement:
 - PDA Outcomes (58 pitches).

- Outstanding LPP2 Allocations (9 pitches).
 - New pitches permitted post GTAA/PDA (14 pitches).
9. In my first Rebuttal Statement, in the GTAA in Chapter 9, and in the detailed PDA Proformas included as Appendix 2, I set out in detail that the 58 sites identified in the PDA were considered deliverable under the requirements of Footnote 4 of the PPTS. In my professional view they are still deliverable under Part 1 of the NPPF Annex B test in that there is evidence that they are *available now, offer a suitable location for development now, and be achievable with a realistic prospect that homes will be delivered on the site within five years.*
 10. In Paragraph 3 of his Rebuttal Dr Murdoch questions why the outstanding LPP2 Allocations for 9 pitches on sites referenced DS15, DS17, and DS19 were not considered in my original Proof of Evidence. At the time of preparing my original Proof I was unclear whether these sites would meet the delivery tests in the PPTS. Following further discussions with the Council it was confirmed that all 3 sites were allocated following a Call for Sites that was completed by the Council. Subsequently discussions between the site owners and the Council have confirmed that there was clear evidence of the deliverability of these pitches within 5 years as required by the PPTS.
 11. In my professional view they are still deliverable under Part 1 of the NPPF Annex B test. The deliverability test for these allocations now falls under (b) in the NPPF Deliverability definition in that [emphasis added] *(b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield land register, it should only be considered deliverable where there is clear evidence that homes will be delivered on-site within five years.*
 12. Further discussions with the Council since the new NPPF was issued have concluded that these 3 allocations can be considered deliverable under (b) as there is *clear evidence that homes [pitches] can be delivered on-site within 5 years.*
 - **DS15 – 7 Burnt Hill:** To the Council’s knowledge, the site owner still wishes to develop the site in line with the LPP2 site allocation.
 - **DS17 – Monkton Farm:** Whilst the Council have not been able to contact the site owner since the new NPPF was issued, this site was put forward through the Call for Sites, and was accepted as a deliverable allocation by the Inspector for the LPP2 Examination.
 - **DS19 – Thornfields:** This is a site that has gained permission to intensify the use of the site by 1 pitch (WA/2025/01130, granted 24/03/2026), leaving one remaining suitable pitch allocation. The recent March 2026 permission demonstrates active developer/owner engagement and deliverability for the remainder of the LPP2 allocation.
 13. Finally, the 14 pitches that have been included as supply from new pitches that have been permitted by the Council since the GTAA was published all meet (a) in the Annex B Deliverability test as they are *all sites with detailed planning permission, [and] should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years.* The Council has no evidence to suggest that these pitches will not be delivered within 5 years.
 14. Therefore, I have concluded that all of these pitches can still contribute towards 5-year supply as they meet the NPPF Annex B Deliverability Tests as set out above.

Additional Need from Bricks and Mortar Households

15. Paragraph 21 in the Rebuttal by Dr Murdoch makes points in relation to the Annex B NPPF Planning Definition of a Traveller and relate to how he thinks it should now apply to households living in bricks and mortar.
16. It is contended by Dr Murdoch in Paragraph 23 that [as a result of the new NPPF] *local planning authorities who are undertaking new GTAA's to inform forthcoming plans and decision making, will need to take into account a far greater number of Romany Gypsies and Irish Travellers, including those in bricks and mortar who may wish to reside on a pitch.* And then in Paragraph 27 that the GTAA sets out in Paragraph 6 that *Despite all efforts that were made it was not possible to complete any interviews with households living in bricks and mortar.* Paragraph 28 then goes on to set out that *Clearly, to be robust and to capture the needs of all those who now fall within the revised PPTS 2024/NPPF 2026 definition – including housed Travellers – should be considered, which the GTAA fieldwork fails to do.*
17. The Waverley GTAA clearly sets out the approaches taken by ORS to seek to identify any need from households living in bricks and mortar in Paragraphs 3.16 – 3.20 and in Paragraphs 7.20 – 7.23. I will not seek to repeat the content of these Paragraphs. However, I will reiterate the points set out in the GTAA that any need identified from households living in bricks and mortar must be evidenced by local primary data – none was identified in Waverley. Therefore, whilst the 2021 Census identified Gypsies and Travellers living in bricks and mortar in Waverley, this should not be seen as a proxy indicator of need from these households. In my view this is still consistent with the NPPF Annex B Planning Definition.
18. The overall approach taken by ORS to seek to identify need from households living in bricks and mortar (i.e. that it should be based on local primary evidence and not extrapolation from secondary data sources) was supported by Local Plan Inspectors in their Report for the St Albans Local Plan which was published in August 2026. Therefore I contend that the approach taken in the new Waverley GTAA is robust:

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In respect of travellers living in bricks and mortar, GTAA paragraphs 3.17 to 3.19 set out how the authors applied a 'rigorous approach to making contact with bricks and mortar (traveller) households' (of which 107 were indicated in 2021 Census data). GTAA paragraph 7.23 nonetheless sets out that 'despite all the efforts that were made it was not possible to identify and interview any households living in bricks and mortar'. Although the data could potentially point to a higher level of need, there is equally no robust evidence before us to show which travellers in bricks and mortar accommodation, if indeed any, are seeking pitches in St Albans.

Conclusions

19. Therefore, taking the points that I have set out above into consideration I am confident that all of the supply that was identified in the Waverley PDA meets all of the (now) NPPF deliverability tests, and does therefore continue to contribute towards the current 5-year supply for Waverley; and that the NPPF Annex B Planning Definition of a Traveller does not result in a need for a GTAA to consider a greater level of need from households living in bricks and mortar where there is no local evidence to suggest that this is the case.