

**TOWN AND COUNTRY PLANNING ACT 1990
THE COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (A**

Appeal by: Boningale Developments Ltd

Appeal Site: Patshull Road, Albrighton, Shropshire, WV7 3BH, United Kingdom

Against: The decision by Shropshire Council to refuse planning permission for:

Outline application to include access for a mixed-use development comprising up to 800 new dwellings, a care home of up to 80 units, a secondary school and local centre with associated access, infrastructure, landscaping and drainage.

**SHROPSHIRE COUNCIL
PROOF OF EVIDENCE ON EDUCATION MATTERS**

RACHEL REYNOLDS BSc (Hons)

Planning Inspectorate Appeal Reference:	6007402
Shropshire Council Planning Application Reference:	24/02108/OUT
Shropshire Council Appeal Reference:	26/03479/REF

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1.0 INTRODUCTION

Qualifications and Relevant Experience

- 1.1 This proof has been prepared by Rachel Reynolds, School Admissions and School Governance Manager on behalf of Shropshire Council. I hold a School Business Manager qualification and a Bachelor of Science Degree in Biological Science from the University of Wolverhampton.
- 1.2 I have worked within Education for Shropshire Council since May 2018. My responsibilities include overseeing School Place Planning and Sufficiency, managing statutory School Admissions and School Governance and the assessment of school capacity across the county to ensure that adequate educational provision is available to meet current need.

Involvement in the Proposed Scheme

- 1.3 The department was involved in the original planning application and submitted comments as part of the consultation process. My personal involvement commenced during the appeal stage, where I became engaged in matters relating to the ongoing appeal proceedings and the consideration of education provision arising from the proposed development.

Scope of Evidence

- 1.4 My proof of evidence is provided as the Council's witness on the matter of education provision. My role considers the impact of new residential development on educational infrastructure and determining whether additional school places and associated educational provision are required to meet the demand generated by the development proposals
- 1.5 This Proof of Evidence considers;
- The likely pupil yield arising from the proposed development.
 - The capacity of local schools serving the development.

- Existing and forecast demand for school places.
- Whether the proposed development would create a need for additional education infrastructure.
- The suitability of mitigation proposed through the planning process.

Declaration

- 1.6 The evidence which I have prepared and provide for this Planning Appeal Inquiry in this Proof of Evidence is true and accurate. I confirm that the opinions expressed are my true and professional opinions.

2.0 POLICY FRAMEWORK

- 2.1 Local authorities have a statutory duty under Section 14 of the Education Act 1996 (CD18.8) to secure sufficient school places for children in their area. Both local and national planning policy place great importance on access to education and the provision of educational facilities.
- 2.2 When assessing planning applications, local authorities must consider whether development would place additional pressure on education infrastructure and whether mitigation is necessary to make the development acceptable in planning terms.
- 2.3 Planning obligations may be sought where they satisfy the relevant legal and policy tests and are necessary to address the impacts arising from development.

3.0 METHODOLOGY

- 3.1 Shropshire Council uses established pupil yield methodologies to estimate the number of children likely to arise from residential development. Pupil yield figures are taken from the DfE website – and are available here <https://department-for-education.shinyapps.io/pupil-yields-dashboard/> w 6faedb41/ (CD18.7)

- 3.2 The methodology is informed by local demographic evidence and historic occupancy patterns and is applied consistently across the county.
- 3.3 Using this methodology, the proposed development is forecast to generate:
- Early years places: 56 (yield 0.07)
 - Primary School places: 216 (yield 0.27)
 - Secondary School places: 112 (yield 0.14)
 - Post 16 places: 40 (yield 0.05)
 - SEND (special school places): 8 (yield 0.01)
- 3.4 Shropshire Council has undertaken an assessment of the likely number of secondary-aged pupils expected to arise from the proposed development using its established pupil yield methodology. I have considered the capacity position across the catchment secondary school that would serve the development, together with projected future demand.

4.0 EXISTING SECONDARY EDUCATIONAL PROVISION

- 4.1 The site sits within the relevant Pupil Planning Area served by Idsall School, which is also the catchment school.
- 4.2 The Published Admissions Number for Idsall School is 216. The capacity of the school is 1300 of which 220 places are for sixth form provision and 1080 places for secondary provision.
- 4.2 The number of pupils predicted to be on roll at Idsall School, the catchment secondary school for years 7-11 in September 2026 is as follows:

Year group	Number on Roll
7	197
8	205
9	210
10	201
11	208

- 4.3 The table below shows the catchment area schools associated with the areas in which current pupils reside as at Spring Census 2026:

Pupils on roll at Idsall school who live in catchment area for	Percentage
Bridgnorth Endowed School	0.68%
Exception	0.09%
Market Drayton - The Grove School	0.09%
Pontesbury - Mary Webb School	0.09%
Shifnal - Idsall School	66.21%
Staffordshire LA	1.02%
Telford & Wrekin LA	31.57%
Wem - Thomas Adams School	0.17%
Wolverhampton LA	0.09%
Total	100%

- 4.4 The information above shows that 33.79% of pupils attending Idsall School do not live within the catchment area. This suggests that school places are being taken up by pupils from a wider geographical area and that demand for places is not solely generated by catchment residents
- 4.5 As catchment area demand increases, places will be prioritised for pupils residing in the catchment area as per the schools determined oversubscription criteria (CD 18.11).

5.0 SECONDARY EDUCATION LAND OFFER

- 5.1 The number of secondary-aged pupils arising from the development is relatively modest at 112 secondary age pupils, when considered against the capacity available within the catchment secondary school and the scale of provision required to support a standalone secondary school, minimum 600 pupils.
- 5.2 Based on this assessment, the Council does not consider that the development would generate sufficient demand to justify the construction of a new secondary school.
- 5.3 New secondary schools require significant pupil numbers to be educationally and financially sustainable. Department for Education guidance (CD18.9) states for a new secondary school to provide a sustainable, broad and balanced curriculum, there is a presumption that a minimum of 4 forms of entry of 30 pupils, per year. This would require a minimum of 600 pupils across year 7 -11. The DfE do not expect a financial plan to be based on fewer pupil numbers. The development would not generate sufficient pupils to support such provision of a new secondary school.
- 5.4 I therefore consider that the educational needs arising from the development can be accommodated through existing provision and planned expansion of secondary education provision if the development was approved, without the need for a new secondary school site.
- 5.5 I am not aware of any evidence which demonstrates a strategic requirement for a secondary school on the appeal site during the relevant planning period.
- 5.6 Whilst I recognise the Appellant's willingness to make land available, educational need must be demonstrated through robust evidence rather than through the availability of land alone.
- 5.7 I agree with the Council's position that the offer of secondary school land does not

address an identified educational need arising from the proposal because there is no requirement for a new secondary school to serve the development.

- 5.8 The Appellant's Statement of Case states that *"The land is being offered serviced and unencumbered to Shropshire Council for use for new secondary school provision, should that be needed. Shropshire Council will need to review the business case for the new provision and establish if there is a need."* However, the Council's assessment demonstrates that no such need has been identified. If the appeal is allowed and it is subsequently determined that a new secondary school is not required, the land would remain unused for educational purposes and would not provide any wider community benefit.
- 5.9 I have not identified a need for a new secondary school arising from this development or within the wider planning area. Accordingly, the council has no capital programme, no Department for Education Basic Need allocation, (CD 18.10) and no operational strategy to deliver secondary school provision on the site. Without a robust business case supported by sufficient pupil numbers, there is no realistic likelihood that a new secondary school would be commissioned or constructed. (CD18.9) The proposed land transfer would therefore secure land for a purpose that has not been evidenced as necessary, and which is unlikely to be realised during the lifetime of the development.
- 5.10 If the Inspector were to allow the appeal with the land obligation remaining in place, the land would transfer into public ownership despite there being no evidenced requirement for a secondary school on the site. In those circumstances, the land would remain undeveloped and provide no educational function. The Council could not reasonably justify the significant public expenditure required to deliver a multi-form-entry secondary school where projected pupil numbers do not support such provision and where existing secondary capacity, including at Idsall School, is capable of accommodating the majority of demand arising from the development.

6.0 DISAGREEMENTS SET OUT IN THE EDUCATION SOCG

Additional developments in the area

- 6.1 The Appellant contends that there is a realistic prospect of between 2,800 and 3,900 additional dwellings being delivered across the local area and that these developments, together with the Proposed Development, could generate demand equivalent to an additional 2.5 to 3.5 forms of entry at secondary level.
- 6.2 The Council does not agree with this assessment. Having reviewed the current planning position and relevant planning applications within the area, the analysis does not identify a level of committed or deliverable development that would generate pupil yields approaching those suggested by the Appellant. The Appellant's assumptions therefore overstate the scale of likely housing growth and the resulting demand for secondary school places.
- 6.3 Furthermore, even if the Appellant's higher growth scenario were accepted, the forecast requirement for an additional 2.5 to 3.5 forms of entry would not, in itself, justify the allocation of land for a new secondary school
- 6.4 Whilst the Department for Education identifies approximately 600 pupils as the minimum size at which a secondary school is likely to be viable, their school design guidance (CD 18.12) is based on secondary schools typically being planned as 6 form entry schools (approximately 900 pupils), reflecting the scale generally required to deliver a broad, balanced and financially sustainable curriculum. The Department of Education's current model secondary school design is based on a 6 FE secondary school with a 225-place sixth form. Consequently, even if the Appellant's forecasts were accepted, the level of demand identified, equivalent to an additional 2.5 to 3.5 forms of entry, falls significantly below that normally associated with the provision of a new secondary school. Such demand would more appropriately be accommodated through the expansion of existing school and the efficient use of available capacity within the education planning area, rather than through the safeguarding of land for a new secondary school.
- 6.5 Accordingly, I do not consider there to be any evidential basis for safeguarding land within the appeal site for the future provision of a secondary school

SEND educational pupil yield

- 6.6 The Council's assessment identifies a yield of 8 SEND pupils, whereas the Appellant's assessment identifies 6 SEND pupils, a difference of 2 pupils (25%). Whilst numerically small, this difference is material because it directly affects the level of developer contributions required to mitigate the impact of the development on SEND education provision and associated SEND transport.
- 6.7 The Council's methodology is based on the Department for Education's published pupil yield factors (CD18.7) and reflects the approach applied consistently across the Council's education infrastructure planning. The Council considers that applying the published SEND yield of 0.01 pupils per dwelling provides a prudent and evidence-based assessment of likely demand arising from the development.
- 6.8 This approach is consistent with the Council's statutory duty under the Education Act 1996 (CD18.8) to secure sufficient education provision for children and young people in its area. It also recognises the sustained growth in demand for SEND placements experienced both locally and nationally in recent years. In these circumstances, the Council considers it appropriate to adopt the Department for Education's published yield assumptions rather than the lower yield advanced by the Appellant, in order to ensure that adequate provision and funding are available to meet the needs generated by the development.
- 6.9 Given the relatively small numbers involved, a difference of two pupils represents a significant proportional variation in demand and should not be dismissed as negligible. I consider the council's assessment to provide the more robust basis for calculating the education and SEND transport contributions necessary to mitigate the impact of the proposed development.

7.0 CONCLUSION

- 7.1 I have considered the educational implications of the proposed development in accordance with its statutory responsibilities and established forecasting methodology.
- 7.2 The evidence demonstrates that the development would not generate sufficient secondary-aged pupils to justify the provision of a new secondary school
- 7.3 The forecast demand generated by the development can be accommodated through existing secondary school capacity and modest planned expansion of secondary education provision, which would be funded through CIL contributions.
- 7.4 The offer of land for a secondary school does not meet an identified educational need arising from the proposal and should therefore be given limited weight in the planning balance.
- 7.5 The forecast increase of 112 secondary-aged pupils arising from the development represents a relatively modest level of additional demand, equating to 10.37% of Idsall School's total planned admission places of 1,080 places. Given that the catchment pupils currently account for only 66.21% of the school's overall population, there remains scope for an increase in catchment demand to be absorbed within the existing school. In addition, the school's oversubscription arrangements give priority to catchment-area pupils over those living outside the catchment, further supporting the school's ability to accommodate future growth arising from the development.
- 7.6 The Council's educational evidence indicates that a new secondary school is neither necessary nor justified as a consequence of this development. Given the scale of pupil yield expected to arise from the proposal and the capacity available within the existing secondary education system, a modest expansion of Idsall School, if required, would represent a more proportionate, efficient and sustainable response to any additional demand generated by the development.