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6 November 2025

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Cheshire East Council
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CW1 9HP

OPEN LETTER

Letter sent via email to: planappcomments@cheshireeast.gov.uk

Dear Sir or Madam

Re: Planning Objection Poynton Spillway Proposal Reference 23/4152M

I am writing on behalf of Friends of Poynton Pool Ltd ("FoPP"), an official community group with a formal constitution to record our concerns and lodge our objections to Cheshire East Council's ("CEC") planning application 23/4152M for spillway works at Poynton Pool, and to request that planning permission is **refused**.

Yours sincerely

Michael J Ellison (Chair)
Friends of Poynton Pool Ltd

Enclosures included as email attachments:

2024 01 05 FoPP planning objection final v1.0

Copied by email to:

Haf Barlow, Clerk, Poynton Town Council
Tim Roca, MP
Hayley Whitaker, Cheshire East Councillor
Jos Saunders, Cheshire East Councillor
Mike Beanland, Cheshire East Councillor
Mike Sewart, Cheshire East Councillor
Chris O'Leary, Cheshire East Councillor

FRIENDS OF POYNTON POOL

6 NOVEMBER 2025

OBJECTIONS TO POYNTON POOL FLOOD MITIGATION PROPOSAL 23/4152M

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1 Purpose of objection

Friends of Poynton Pool (“FoPP”) **objects** to Cheshire East Council’s (“CEC”) planning application 23/4152M for works at Poynton Pool and requests that this planning application is **refused** as:

- a) CEC as applicant has **not addressed** the five requests made by the Council’s Strategic Planning Board (“SPB”) in April 2024 when this planning application was deferred.
- b) Cheshire East Council has acknowledged that the Friends of Poynton Pool Option 1D is a **viable alternative** that meets the requirements of the Reservoirs Act.
- c) **CEC Option 3C breaches 20** of Cheshire East Council’s own policies. Friends of Poynton Pool alternative **Option 1D breaches none**.
- d) In view of the low risk at Poynton Pool, CEC could install an emergency penstock and implement a Flood Contingency Plan that would ensure the reservoir always remains safe whilst they commission a new Section 10 inspection to extend the current deadlines. The Environment Agency (“EA”) confirmed at a meeting with FoPP that they would not obstruct this approach.
- e) This application will result in a significant loss of trees, described by the planning officer in their 2024 SPB report as: “... *significantly harmful to the amenity of the local area and the non-designated heritage assets of Poynton Pool and Poynton Park.*”
- f) When the same proposal, Option 3C, was presented to SPB in April 2024, it faced:
 - o A petition with 5,800 signatures
 - o 1,700 formal objections
 - o Strong criticism from residents and experts in reservoir engineering, arboriculture and one of the country’s pre-eminent experts in risk management.

2 Content

This objection is in addition to the attached FoPP objection submitted on 5 January 2024 in respect of planning application 23/4152M. The previous objection still stands as the plans submitted have not materially changed. This objection relates primarily to:

- a) The actions of the applicant Cheshire East Council to address the five requests made by SPB in April 2024 as detailed in their Planning Position Statement which forms part of this reapplication; and
- b) Information included by the applicant in the Supplement to Summary Options Report 2025.

3 Summary

Planning application 23/4152M was deferred by Strategic Planning Board on 24 April 2024 with a request that the applicant take action to provide further information to inform the planning decision and encourage engagement with third-parties. This request was summarised by the planning case officer as:

- 1 To consider and update where necessary any inaccuracies in the submitted data to ensure modelling is accurate.
- 2 To review the current condition and risks associated with the existing dam wall, and the impact caused by removal of trees on the dam.
- 3 Encourage engagement with third parties to consider / explain alternatives.
- 4 To instigate a further independent view, if necessary.
- 5 To review the location of the proposed mitigation and consideration of any alternatives.

For the reasons set out in Section 4, it is our position that the applicant has **not** complied with this request.

4 Review of the applicant's response to the five SPB requests

4.1 To consider and update where necessary any inaccuracies in the submitted data to ensure modelling is accurate

While additional data are available, such as the bathymetric survey commissioned by the EA, which identified that the pool volume is almost half of the original estimate used in the assessment of downstream risk, and the outfall of the spillway being 77.9% larger than the value used in the original risk assessment, the applicant has not produced an updated risk assessment.

We have provided evidence that flows from the direct catchment enter Norbury brook to the north and west of the catchment. But this information has been dismissed as insignificant without any evidence. It is our position that the applicant has not fulfilled the requirement 4.1.

Despite repeated requests by FoPP for a site investigation to inform the design of the proposal, which date back to October 2024, the applicant has run down the clock to the stage where it claims there is no time for a site investigation prior to submission of the application. The calculated risk includes the cumulative likelihood of several events and each error multiplies all other errors, which include:

- a) Overestimating the direct catchment by explicitly ignoring the drainage systems from residential development that are directed away from the pool, and ignoring drainage from agricultural land that is drained directly into Norbury Brook.
- b) Including the flows from the indirect catchment via the catchwater from the Park Lane Stream when this is an artificial device that can be closed.
- c) Ignoring the reduced volume of the pool in a revised breach analysis.
- d) Ignoring the increased diameter of the 600mm diameter outfall pipe, originally recorded as 450mm diameter.
- e) Ignoring the potential for the dam embankment to be permeable and thus reducing flows out of the pool via the spillway structure. This is despite the applicant's Qualified Civil Engineer ("QCE") recommending that a site investigation should be carried out to determine seepage through the embankment 6 years ago in their November 2019 Flood Study.

Following SPB, and at the request of the Local Planning Authority ("LPA") FoPP provided a list of 23 points relevant to the planning application that we considered to be inaccurate or required updating, together with supporting evidence.

Appendix 1 provides a summary of these baseline inaccuracies and our response in respect of the subsequent actions taken by the applicant, Cheshire East Council, to the 23 points in our list.

It is our position that the applicant has not fulfilled the requirement 4.1.

4.2 To review the current condition and risks associated with the existing dam wall, and the impact caused by removal of trees on the dam

The November 2019 Flood Study recommended that a ground investigation ("GI") should be carried out to determine the geotechnical composition of the embankment and potential for seepage through the embankment. Since SPB in April 2024 we have sent numerous communications to the applicant raising our concerns regarding this matter.

In October 2024, the applicant advised us that a recent site visit had been undertaken *"with a view to considering the potential options available for undertaking the required ground investigation survey works."*

In June 2025, we wrote to the applicant and provided some independent quotations for carrying a screening site investigation. The applicant subsequently advised in July 2025 that the timescale for completion of any site investigation would be at least 4 months following an initial procurement process.

On 7 September 2025, we sent a further communication to the applicant stating: *“I will reiterate our concerns regarding the Council’s proposal to proceed with a planning application for Option 3C upper without GI works. In your response you acknowledge “undertaking some small-scale confirmatory GI works would inform the detailed design.” However, your 4-month timeline means the detailed design, which has a deadline of 31 December 2025, will be completed prior to the GI report. **The absence of a ground investigation means the geotechnical risk cannot be evaluated either technically or financially.**”*

We wrote to the applicant again on 10 October 2025 highlighting our concerns regarding the lack of GI and associated risks as follows: *“Until the site investigation is carried out the risk of future instability from root decay and any seepage cannot be assessed. As a consequence, these risks cannot be assessed and they remain at large. That being the case, who owns these risks? The only 3 options; Cheshire East Council, Jacobs or the design and build contractor appointed to undertake the works.”*

It is our position that the applicant has not fulfilled the requirement 4.2.

4.3 Encourage engagement with third parties to consider / explain alternatives

Friends of Poynton Pool and Poynton Town Council (“PTC”) have been invited to four meetings with the applicant, Jacobs’ QCE, Jacobs’ project team, and the Inspecting Engineer (IE), however:

- a) There was a 10-month delay following the SPB in April 2024 before the first meeting took place in February 2025.
- b) During this 10-month delay there was minimal engagement with FoPP, the reason given for the delay was CEC wanted to complete a site investigation prior to meeting. To date no site investigation has been undertaken.
- c) Although FoPP approached the meetings in an open and collaborative manner the focus of the QCE has been to dismiss and denigrate proposals formulated by our subject matter experts. Despite this approach the applicant and its engineers have had no option but to reluctantly **acknowledge that our proposals are viable** but have stated - without evidence - that they are not acceptable due increased cost over that of the current application proposal that is the subject of the deferral.
- d) In the three meetings that took place in the subsequent six months no changes were put forward by CEC and the QCE to address the issues raised by FoPP regarding removal of trees. This is reflected in the Option 3C proposal being re-consulted, which remains unchanged.
- e) While the applicant might claim that it has engaged with ‘third parties’ the engagement has been of a poor and superficial kind that appears to have had the sole purpose of demonstrating that engagement has taken place. There has been no meaningful collaboration.
- f) A lack of willingness from CEC and the QCE to engage fully with FoPP can be seen in both the initial output from independent pricing evaluation and the content added to the planning portal where there are gross inaccuracies in the interpretation of the design proposed by FoPP.
- g) FoPP’s formal request in March 2025 for an independent QCE to be appointed to remove the conflict of interest where the QCE is working for the same company that produced the Option 3C design. This request was refused.

- h) There has been no independent arbitrator appointed to facilitate the consideration and discussion of alternatives. The IE, David Neeve, attended the meetings in his capacity as Inspecting Engineer and did not serve the role of independent arbitrator.
- i) Although a new period of consultation has been given for this application for the wider public to engage, the existing 1,700 objections from the first consultation period in 2023/2024 remain valid on the basis application 23/4152M remains the same.

It is our position that any compliance with the requirement 4.3 has been inadequate and not in the spirit of the request from Strategic Planning Board.

4.4 To instigate a further independent review, if necessary

The IE attended all the joint meetings with CEC, Jacobs, PTC and FoPP and their input has been welcomed. The IE warned of the risk of removing large trees from an earth embankment in their Statutory Section 10 report of 13 December 2024 stating: *“Care is required when removing large trees from embankment dams as the increase in moisture content may cause instability of the embankment and may create leakage paths as the root system decays.”*

The IE helped gain collective agreement on the following matters:

- FoPP alternative Option 1D satisfies the requirements of the Reservoir Act and the IE confirmed that if they were Qualified Chartered Engineer, they would sign it off.
- FoPP alternative Option 1D unlike CEC Option 3C does not result in overtopping the embankment and spilling floodwater onto London Road North and as such a large precast kerb is not required along the crest..
- The design wave height is 250mm.

FoPP acknowledges that CEC as applicant commissioned independent cost estimates from Currie and Brown. However, draft estimates have been used to evaluate the options and presented in the planning applicant as definitive. Both PTC and FoPP were asked by CEC to review these estimates and had agreed the feedback would be provided early week commencing 20 October 2025. Despite this, application 23/4152M consultation commenced on 17 October 2025 without accounting for the reviewed costs.

There has been no independent review of the proposed scheme itself or of the alternative proposed by FoPP. We exchanged a series of communications with CEC on this matter, highlighting the following concerns that have not been addressed:

- a) Will there be independent input into the evaluation of options?
- b) Will the recommendation for any preferred option outline the associated risks?
- c) Will CAVAT be used to determine the monetary value of the trees lost in order that this can be compared with other capital costs associated with the schemes when evaluating options?
- d) The Council submitted the specification and supplementary information to the external cost consultants without any joint agreement or review.
- e) A risk register was prepared and submitted to the Quantify Surveyors (QS) for the FoPP Option 1D without prior discussion.
- f) No risk register was prepared for the application proposal Option 3C.
- g) The plans for Option 3C do not reflect the actual details of the scheme which means the cost estimates are likely to be materially understated.
- h) The lack of site investigation means the build methodology cannot be accurately determined and the decision on what plant is required is guesswork.
- i) Will you be complying fully with the CIPFA Financial Management Code? We note that Standard M requires the authority to use an *“appropriate documented option appraisal methodology to demonstrate the value for money of its decisions.”*

- j) We do have significant concerns that your QCE has misstated on several occasions the cost of your Option 1C is £300k and the likely cost of the FoPP proposal will be 10 or 20 times this cost – so £3 to £6m.
- k) Can you confirm that the option appraisal will include appropriate techniques for the qualitative and quantitative assessment of both options?
- l) Can you provide details of how the scoring was objectively determined for each consideration, for example for project cost you have red, amber, yellow, and green?
- m) You state the Council and its appointed professional team (Jacobs?) will undertake this assessment. To be independent and objective this assessment would need to be conducted by a panel not directly involved in the options being assessed. This would provide an unbiased view, free from conflicts of interest.
- n) We would ask that the option appraisal considerations are revised to take account of the views of all key stakeholders with clear definitions to aid consistent and objective evaluation.
- o) The evaluation process should be undertaken by an independent panel with the purpose of identifying the 'optimal' option which best balances the expected costs taking account of the benefits and risks.
- p) Could you confirm that the option appraisal will take account of all relevant capital and revenue costs for both schemes?
- q) How have you determined which revenue /lifecycle costs are appropriate?
- r) Will the Council address risk and uncertainty, particularly with reference to the removal of trees and their roots from the gravel embankment and modifying the permeability of the embankment?
- s) Please provide further details of the independent review and the check and challenge in terms of by whom, and in respect of what.
- t) For the evaluation of options to be independent and objective the assessment would need to be conducted by a person or panel not directly involved in the options being assessed. This would provide an unbiased view, free from conflicts of interest. The Council and appointed consultants as designers/proposers of Option 3C are not independent.

For the reasons stated, it is our position that the applicant has not fulfilled the requirement at 4.4 for an independent review.

4.5 To review the location of the proposed mitigation and consideration of any alternatives

No discussion has taken place between FoPP and CEC to review the location of the mitigation for the CEC plan. CEC have not suggested or discussed any alternative sites with FoPP since the deferral in April 2024. CEC has not suggested any amendments to the existing plan or alternative plans that reduce or remove damage to the trees at Poynton Pool.

The location of the tree planting remains the same, at Walnut Tree Farm, which is not a location within the Cheshire East boundary. It is inaccessible to the public and therefore does not replace any amenity value lost at Poynton Pool from the removal of over 200 trees. In addition, it is estimated CEC has not realised c£300,000 in capital value via the requirement to retain 0.6ha of land when the remainder of the Walnut Tree Farm site was sold.

Jacobs' Supplement to Summary Options Report Revision: P01, Section 2.3 wrongly states that FoPP Option 1D "...would require biodiversity enhancement and off-site mitigation, consistent with the approach adopted in the preferred option."

It is to be noted the alternative solution proposed by FoPP does not require off site mitigation. This solution retains nearly all the trees at Poynton Pool and so there is no habitat destruction or loss of amenity value that requires mitigation.

The applicant has not fulfilled the requirement at 4.5 regarding an alternative mitigation location.

5 Review of Jacobs' Supplement to Summary Options Report

Jacobs' Supplement to Summary Options Report Revision: P01 dated 16 October 2025 provides details of FoPP's alternative proposal Option 1D, an updated Option Assessment and draft cost estimates from Currie and Brown.

The section 1 introduction incorrectly states: *"This option (FoPP Option 1D, our comment) is similar to Option 2 previously assessed in the Summary Options Report. This option is referred to as Option 2* for the remainder of this report."*

Option 1D is an independent FoPP design which meets the requirements of:

- The Reservoir Act.
- The Institution of Civil Engineers (ICE) Flood and Reservoir Safety 4th Edition.
- The 2024 Statutory S10 Inspection recommendations to convey the design and safety check floods as determined by the applicant's 2025 Flood Study.
- Guide to drawdown capacity for reservoir safety and emergency planning (DEFRA 2021)

It should be independently evaluated on its own risks and benefits and be referred to consistently as 'FoPP Option 1D' to avoid confusion and misleading members of SPB and the public.

FoPP Option 1D comprises:

- Level monitoring points along the embankment.
- Raising the footpath to provide a level crest and adequate freeboard.
- A conventional engineering upgrade to increase overflow capacity, including a 45-metre labyrinth weir (constructed within the embankment for ease of construction).
- Emergency drawdown facility and Environment Agency compliant trash screen.
- Culvert beneath London Road North to convey the design flows to the west of London Road North.
- No overtopping of embankment or flooding of London Road North.
- This plan would preserve the woodland, remove only a single tree stump and minor vegetation, and comply with local planning policies.
- Preservation of local amenity value.

Jacobs' Option 2 comprises:

- An intake culvert arrangement to include a duckbill weir protruding into Poynton Pool (with complex overwater construction operations.)
- A new larger culvert under London Road North.

Jacobs' Option 2:

- Does not comply with The Institution of Civil Engineers (ICE) Flood and Reservoir Safety 4th Edition.
- Does not comply with the 2024 Statutory S10 Inspection recommendations for an emergency drawdown facility, and Environment Agency compliant trash screen.
- Does not preserve the woodland and historic landscape.

This is evidenced by Table 2-3 of Jacobs' Summary Options Report which forms part of the 2023 23/4152M planning application for Option 3C and highlights the extensive tree loss.

Figure 1: Jacobs Summary Options Report 2023 Table 2-3

Table 2-3: Additional works required for Option 2 to meet Engineering standard

Option	Description of work	Comments
Lower Top Water Level (TWL) to increase freeboard and prevent western embankments from overflowing (this could also be achieved by raising the embankment crest).	Lower top water level so flood surcharge and freeboard are contained within the existing crest. The extent to which the water level would need to be lowered depends on the increase in spillway culvert size. For a 2.0m diameter culvert the pool would need to be permanently lowered by 1.0m	Reduction in lake size. Stabilisation works to reservoir rim required due to water level lowering (2km length) UU surface water culverts would need extending down to lake edge New channel required for inflows from adjacent Park Lane stream
Alternatively raise whole length of crest to provide freeboard	Would require removal of trees for whole extent of crest, as crest would need raising, rather than just regulating	Much more extensive tree loss than proposed scheme

Jacobs in their introduction also state: *“Independent costs estimates for Options 2* (FoPP Option 1D, our comment) and 3C have been provided by Currie & Brown and are included summary of options assessment. Breakdown of these costs provided by Currie and Brown are included in Appendices G & H.”*

The introduction concludes with: *“This document is intended to support Cheshire East Council in its decision-making process by providing a balanced and transparent evaluation of Option 2* (FoPP Option 1D, our comment) alongside previously considered options.”*

The introduction does not state these are draft costs estimates. We did provide the applicant with a comprehensive technical review of the Issue 2 cost estimates produced by Currie and Brown on 21 October 2025, as agreed. This review identified significant omissions in the costings for the CEC Option 3C proposal and opportunities to substantially reduce the costs of Option 1D.

Our response to CEC stated: *“You will see that CEC Option 3C has a revised client cost of £2.1m, which increases to £6.9m when all associated scheme costs are included. The £1.9m client cost of Friends of Poynton Pool Option 1D is consistent with the QS costs we presented at Strategic Planning Board in April 2024 due to the risk and inflation adjustments which have been applied.”*

The stated disadvantages of the FoPP Option 1D described in the Section 3 Pros and Cons discussion are **incorrect** as follows:

- a) **Higher capital cost:** The cost estimates are draft. The FoPP evaluation identifies a higher cost for CEC Option 3C.
- b) **Visual impact:** The labyrinth weir would be buried in the embankment and submerged on the upstream face. The structure would be visible from London Road as a vertical wall 12m long and 1.5-2m above pavement level; it could be clad with stone to minimise visual impact, see figure 2. Just one remnant tree stump would be removed.

Figure 2: Stone clad wave wall at Tegg's Nose Country Park



- c) **Planning and regulatory challenges.** We dispute the statement that Option 1D which does not breach any planning policies and recognises stakeholder feedback would require more extensive planning approvals. There is an argument the FoPP scheme could be classified as Permitted Development as there are no trees removed and it involves the construction of below ground drainage assets.
- d) **Downstream fluvial flooding:** The following statement by the applicant is incorrect: *“By increasing the spillway length this will increase the downstream fluvial flood risk, which is likely to be unacceptable to the lead local flood authority (LLFA) and Environment Agency.”* Conversely, Option 1D will not increase downstream fluvial flood and could potentially reduce it. This would be achieved by active surface water management with the emergency drawdown facility being used to lower levels in the pool in advance of flood events. This approach has been successfully adopted in the UK at Gorpley Reservoir and on the Forth and Clyde Canal in Sighthill, Glasgow. Details of these case studies have previously been forwarded to the applicant.
- e) **Landowner agreement:** The statement: *“The current proposal discharges flood flows onto the field downstream, which is unlikely to be acceptable to the landowner”* is misleading as follows:
- Flood flows would currently discharge in this way during an extreme flood event, along the route of the original watercourse.
 - Jacobs Option 3C discharges flood flows onto London Road North over a 480m length and then into the landowners’ fields.
 - Option 3C puts nearby properties at risk of flooding.
 - Option 3C surcharges combined sewer systems.
- f) **Future proofing:** The advantage of using level crest monitoring points as opposed to a concrete kerb as proposed in the planning application Option 3C is that:
- The crest can be surveyed and any crest maintenance done as a routine task.
 - Option 3C is the same in all respects other than relaying kerbs that have moved due to a combination of frost heave, settlement, and root jacking. This is a more involved and expensive operation.
 - Option 3C kerb movement is an extra trip hazards risk for CEC based.

Table 1: Summary of options assessment in Section 4 of the Jacobs’ report has not been assessed independently as described previously in Section 4.4 of this objection. It also contains material errors including:

- Inaccurate project cost information
- Incorrect assessments of options, for example:
 - **Onset of flooding of London Road North:** Jacobs’ Option 3C has been designed to flood up to 3 million litres per hour onto London Road North (equivalent to three Olympic swimming pools) and yet it scores a ✓.
 - **Visual Impact:** Jacobs’ Option 3C scores x whereas FoPP Option 1D scores xxx

In conclusion, contrary to what is stated in the application, this evaluation of Option 1D is not “balanced and transparent.”

Jacobs’ Supplement to Summary Options Report is inaccurate and grossly misleading.

Appendix 1: FoPP response to the applicant’s actions in respect of inaccuracies in submitted data

No	30 April 2024. Baseline inaccuracies identified by FoPP	31 October 2025. FoPP Response to actions taken by the applicant
1	<p>The volume of water used in the flood study has been overstated</p>	<p>No action taken: Although in its response Jacobs stated “If there is a very significant change we will review the reservoir flood risk,” Jacobs Poynton Reservoir Hydrology and Modelling Report BRJ10627-JAC-XX-XX-RP-HY-0102, Revision no. PO2 Section 2 [page 11/47] states: “Bathymetric survey was also part of the Binnies 2024 survey, but it was ignored in this study as no drawdown of the reservoir is being considered.”</p> <p>We note that the applicant plays down the consequences of pool volume in the event of a breach, but it is clear a near doubling of reservoir volume is not inconsequential to the calculated downstream consequence.</p> <p>This might be referred to as ignored cumulative effect 1.</p> <p>It must be remembered that the calculated risk classification includes the cumulative likelihood of several events and each error multiplies all other errors.</p>
2	<p>The main outflow pipe diameter between manhole 1 and manhole 2 has been understated</p>	<p>Jacobs has acknowledged the error in its response, but again plays down the consequences by stating a required diameter of 1.4 metres. It appears that the consequences of the pipe capacity being almost double that used when calculating the risk has not affected the calculated risk and this is clearly an error as it reduces the likelihood of a breach, which must be considered in any reasonable risk assessment.</p> <p>It must be remembered that the calculated risk to people downstream includes the cumulative likelihood of several events and each error multiplies all other errors.</p> <p>Regarding the applicant’s response. That some works are required to comply with the Act is not in dispute. It the extent and nature of the works that have an unacceptable impact on amenity and the environment.</p> <p>We would also ask what is the approach that is claimed by the applicant to have been validated by Professor Ball’s report, and how?</p>

No	30 April 2024. Baseline inaccuracies identified by FoPP	31 October 2025. FoPP Response to actions taken by the applicant
3	The direct catchment area has been overstated by at least 96%	<p>Inaccuracies Remain: This overstatement has been ignored in the Flood Study (3.2.2)</p> <p>This might be referred to as ignored cumulative effect 2.</p> <p>Regarding the applicant’s response, it is clear data are being used selectively to meet a predetermined objective by applying worst case scenario at every stage and failing to take account of established drainage systems in the direct catchment.</p>
4	The indirect catchment area has been overstated	<p>Inaccuracies Remain: The only flow from the indirect catchment is via the Park Lane Stream, which enters the Pool via a catchwater that can be closed and need not contribute to the inflow.</p> <p>This might be referred to as ignored cumulative effect 3.</p> <p>It must be remembered that the calculated downstream risk includes the cumulative likelihood of several events and each error multiplies all other errors.</p> <p>The applicant’s response has not provided any meaningful consideration of flows from the direct catchment directly into Norbury Brook</p>
5	The flood modelling has not been calibrated using historic inflow, outflow and levels data correlated against weather patterns	<p>No action taken: It is likely that a substantial proportion of inflow to the reservoir is designed to flow out through the permeable embankment when it reaches the top of the (assumed) clay lining. Modelling would identify whether this is the case.</p> <p>Furthermore, in November 2019 Flood Study produced by Jacobs the executive summary contains the statement that a site investigation should be undertaken to determine the quantity of seepage through the embankment. <u>No site investigation has been undertaken to date.</u></p> <p>The applicant’s statement that flooding in Poynton was from a different catchment is incorrect. Flooding occurred when culverting of Park Lane stream became overwhelmed and it is the Park Lane Stream that is artificially diverted into the Pool at the catchwater.</p>

No	30 April 2024. Baseline inaccuracies identified by FoPP	31 October 2025. FoPP Response to actions taken by the applicant
		<p>The 1/1,000 and 1/10,000-year events may be more extreme, but one of the recent events was recorded as 1/100-year and no overtopping occurred, whereas the Flood Study asserted the Pool would overtop in a 1/50-year event, which is clearly incorrect</p>
6	<p>A detailed topographical survey has not been undertaken to confirm the dam crest height, top water level and accurately identify the freeboard shortfall</p>	<p>Complete. August 2024. Environment Agency (EA) commissioned bathymetric and topographic study carried out by Binnies. Water and silt volume confirmed to be 75,600m³ not 130,000m³. This new information has not been accounted for by Jacobs. The updated Flood Study states “Bathymetric survey was also part of the Binnies 2024 survey, but it was ignored in this study as no drawdown of the reservoir is being considered”</p> <p>This might be referred to as ignored cumulative effect 4.</p> <p>The applicant’s response claims that the application proposal is restoring the crest to historic levels to make good settlement. This statement is untrue. There is no record of historic levels as the applicant has acknowledged. This statement is misleading.</p>
7	<p>There are no historical records of the construction of the dam. The applicant has not undertaken a full ground investigation to determine the structure and composition of the dam</p>	<p>Action outstanding: Applicant has advised specification issued. Report expected end of January 2026, after Statutory S10 deadline for completion of final design for works at Poynton Pool.</p> <p>This failing is of considerable concern given that the current proposals are based on the premise that the dam embankment is impermeable, which we believe is highly unlikely, and consider the risk of blocking that permeability could significantly increase the risk of overtopping.</p> <p>This might be referred to as a negative effect, whereby the proposal potentially increases the risk rather than reduces it</p> <p>The applicant’s response statement that “<i>dam composition is unlikely to affect overtopping failure and need for spillway capacity increase</i>” is untrue. If the dam is permeable, which we have identified is the case, at least in part, the flow through the spillway would be reduced and this is perhaps one factor why there are no</p>

No	30 April 2024. Baseline inaccuracies identified by FoPP	31 October 2025. FoPP Response to actions taken by the applicant
		records of the embankment overtopping. Also, it has already been agreed that ground investigation could involve less invasive window sampling.
8	Statement by the applicant that the trees on the embankment pose a risk to the reservoir safety and structure	<p>No action taken: 2024 S10 states: <i>“Therefore, I recommend that a tree health survey is completed annually on the embankment. Any trees identified as unstable should be stabilised or removed if necessary. Care is required when removing large trees from embankment dams as the increase in moisture content may cause instability of the embankment and may create leakage paths as the root system decays.”</i></p> <p>This might be referred to as a negative effect, whereby the proposal potentially increases the risk rather than reduces it</p> <p>Regarding the applicant’s response, the guidance cited relates to constructing new dams. All the guidance for established trees on dams is to manage them and not remove. Additionally, the suggestions /recommendations made to top and pollard trees are made by engineers and not arboriculturists. The proposals to pollard would have significant implications for the health of the trees and their roots, likely leading to reduced shear strength in the embankment.</p> <p>The issue of root decay and potential seepage and internal erosion of the embankment is a matter that has been dismissed by the QCE despite the overwhelming body of publications and reports that highlight the risk from removal of trees on earth embankment dams inter alia;</p> <ol style="list-style-type: none"> 1. Poynton Pool Section 10 Report - David Neeve Arup 2. Chapter 8, Geotechnical Engineering of Dams 2nd Edition - Fell et Al 3. FEMA (2005b) Technical Manual for Dam Owners, Impacts of Plants on Earthen Dams 4. Trees of dams: Life Cycle Management - Dams and Reservoirs Vol.26 Issue 3 5. Vegetation and Embankment Dams - Hoskins and Rice -Water Resources and Reservoir Engineering 1992

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		<p>6. Reservoirs: How to manage your large raised reservoir - GOV.UK (Diagram 6)</p> <p>Until the site investigation is carried out the risk of future instability from root decay and any seepage cannot be assessed. Consequently, these risks cannot be assessed and they remain at large. That being the case, who owns these risks? The only 3 options; Cheshire East Council, Jacobs or the design and build contractor appointed to undertake the works. An answer to this question (which we have already asked the applicant) would be most enlightening.</p> <p>The FEMA guide is very clear on trees and advocates removal of all roots and reconstruction of the embankment following tree removal, if this were carried out at Poynton the pool would need to be drained down or a cofferdam installed whilst the embankment is rebuilt over the 2 number 40m lengths. This would significantly increase the cost of the proposed works of Jacobs' Option 3C.</p> <p>Hoskins and Rice document the case study of Aldenham Reservoir which has many similarities with Poynton Pool i.e. an earth embankment without clay core constructed in the eighteenth century to supply compensation water to the Grand Union Canal. In the early 1970s Reservoir Safety Works required the removal of all trees and undergrowth to upstream slope and crest raising to increase the freeboard. Slope instability and seepage occurred in 1975, 1982 and again in the late 1980s, requiring extension remedial works to stabilise the embankment. The authors conclude that the vegetation enhanced the embankment stability by reducing pore pressures and binding the superficial layers of the slope together.</p> <p>We find it hard to believe considering all the above information, that CEC and Jacobs have been unwilling to change their approach when FoPP's lower risk, lower cost and more environmentally sympathetic solution is available.</p>

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9	<p>The decision to proceed with Option 3C was made when the risk of upper dam failure was incorrectly stated as falling into the "unacceptable" zone of risk</p>	<p>No action taken. Option 3C unchanged apart from two minor mandatory additions (trash screen and drawdown)</p> <p>We believe that if the 'cumulative effects listed here were fully accounted for, it is likely that the calculated risk from the reservoir would be within <i>Broadly Acceptable</i> limits (HSE – Reducing Risks Protecting People, 2021). All that would then be required would be to raise the crest to achieve a compliant freeboard without an engineered crest.</p> <p>Regarding the applicant's response. That the pool is classified as high risk is not in dispute, although a more realistic consideration of the dam width relative to its height might result in a more proportionate assessment.</p> <p>At a meeting with the applicant, Jacobs and Environment Agency, Professor Ball explained how and why the use of a gross disproportion factor of 5 was erroneous and this appeared to be acknowledged by the Environment Agency. The failure of the applicant to account for the amenity value of the trees lost to the proposal artificially skews the cost benefit analysis in favour of the application proposal.</p>
10	<p>People affected by dam failure has been overstated</p>	<p>No action taken. Applicant still quoting the Environment Agency (EA) figures of 3,500 people affected as opposed the figures from Jacobs updated 2025 flood study</p> <p>This might be referred to as ignored cumulative effect 5.</p> <p>Regarding the applicant's response, Jacobs Flood Modeller Pro is industry leading software, which with the correct input data is likely to be far more accurate than the broadbrush EA flood mapping.</p> <p>As a minimum an updated breach assessment is required to take into account the actual reservoir volume following the completion of the bathymetric survey.</p>
11	<p>Likely loss of life due to dam failure has been overstated</p>	<p>No action taken. Applicant still quoting the Environment Agency figures of 2 lives as opposed to Jacobs updated 2025 flood study</p>

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		<p>This might be referred to as ignored cumulative effect 6.</p> <p>Regarding the applicant's response, Jacobs Flood Modeller Pro is industry leading software, which with the correct input data is likely to be far more accurate than the broadbrush EA flood mapping.</p> <p>As a minimum an updated breach assessment is required to take into account the actual reservoir volume following the completion of the bathymetric survey.</p>
12	Damage to property has been overstated	<p>No action taken. Applicant still quoting the Environment Agency figures of £79m as opposed to Jacobs updated 2025 flood study</p> <p>This might be referred to as ignored cumulative effect 7.</p> <p>Regarding the applicant's response, Jacobs Flood Modeller Pro is industry leading software, which with the correct input data is likely to be far more accurate than the broadbrush EA flood mapping.</p> <p>As a minimum an updated breach assessment is required to take into account the actual reservoir volume following the completion of the bathymetric survey.</p>
13	The need for the proposal does not outweigh the identified harm and volume and strength of local opposition	<p>No action taken. The seven stated cumulative effects, if considered in a revised and objective risk assessment and combined with the potential increases in risk from negative effects referred to at items 7 & 8 might reduce the risk to broadly Acceptable</p> <p>Regarding the applicant's response, the risk is not near the top of the ALARP* (tolerable) zone, other than visually on a log, log chart.</p> <p><u>We would ask that the independent reviews of proportionality be made available to us at the earliest opportunity.</u></p> <p>* As Low as Reasonably Practicable</p>
14	The stated 'lack of viable alternatives in this case' as justification to proceed with this planning application is inaccurate	<p>Confirmed inaccurate. At the 25 February 2025 joint meeting the QCE confirmed that the 2024 SPB report was inaccurate as there were viable alternatives. FoPP alternative Option 1D has been confirmed by both the QCE (Alan Brown) and December 2024 Inspecting Engineer as</p>

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		viable and meets reservoir act requirements. Note both the QCE and Inspecting Engineers are All Reservoir Panel Engineers appointed by DEFRA.
15	The project cost of Option 3C included in the planning application is understated	<p>Confirmed inaccurate. Planning application published despite cost estimates not validated by FoPP as had been agreed with CEC.</p> <p>FoPP letter to applicant dated 21 October 2025 states: You will see that CEC Option 3C has a revised client cost of £2.1m, which increases to £6.9m when all associated scheme costs are included. The £1.9m client cost of Friends of Poynton Pool Option 1D is consistent with the QS costs we presented at Strategic Planning Board in April 2024 due to the risk and inflation adjustments which have been applied.</p>
16	The scheme cost fails to take account of the Capital Asset Value for Amenity Trees (CAVAT) despite the risk being restated as tolerable	<p>No action taken.</p> <p>The 2025 cost estimates by Currie and Brown fail to take account of the CAVAT value of the trees.</p> <p>This remains contrary to the Council's Policy ENV6 and with the FoPP proposal 1D acknowledged by the applicant and QCE as viable, there is no overriding justification to contravene this policy. The loss of trees is not 'unavoidable' [ENV6 (3)] <i>"Where the loss of significant trees is unavoidable, replacement tree planting should be provided, <u>of a commensurate amenity value to the trees that are lost AND to secure environmental net gain.</u>"</i></p>
17	The scheme cost fails to take account of the Landscape Management Plan	<p>No action taken.</p> <p>The 2025 cost estimates by Currie and Brown exclude the additional 29-year landscape management costs for Walnut Tree Farm and Poynton Pool.</p>
18	Number of trees to be cut down and severely impacted by the scheme understated	<p>No action taken.</p> <p>The planning statement states: <i>"The number of trees requiring removal has subsequently reduced to 31."</i></p> <p>To reassert: Planning case officer 2024 report to SPB states: <i>"It has been confirmed that 78 trees and two 40m sections of Hawthorn Hedgerow will be removed as a result of the proposed development. 49 trees and 10 groups are also</i></p>

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		<p><i>identified to be impacted by the proposals, largely by crown lifting over working areas or by RPA encroachment."</i></p> <p>The CEC Tree Officer's consultation response states: <i>"Trees are missing from the submitted reports and must be included and assessed as part of a revised AIA."</i> (Arboricultural Impact Assessment)</p> <p>In addition, further investigation by FoPP regarding the 7m wide clearance that is required with the CEC plan (path + grass verge + gradient from the kerb) the true number of trees to be removed will be well over 200 plus the two 40m sections of tree clearance and hawthorn hedge removal.</p>
19	Environmental Impact Statement not carried out	<p>No action taken. Planning application 22/4001S, notice of decision states: <i>"Site is less than 1ha. Stated to be 0.19ha in supporting document. Submitted location plan shows area to be greater than 0.19ha but less than 0.7ha."</i></p> <p>The area of impact is approximately 1.48ha as evidenced from Google Earth when measured correctly, despite numerous queries. CEC has refused to acknowledge this correct measurement presumably to avoid carrying out an Environmental Impact Statement.</p>
20	Drawing inconsistencies AIA page 35	Drawings updated but inconsistencies remain.
21	Drawing inconsistencies AIA page 36	Drawings updated but inconsistencies remain.
22	EAR (Environmental Assessment Report) version P02 excludes the zone of influence (Zoi) within the desk study	<p>No action taken. Inconsistency can be found when comparing the EAR version P02 from 13/02/24 with the EAR that was submitted with the application in November 2023 regarding the Zone of Influence.</p> <p>As an example, section 5.4.4 (d) was changed from 'within the 50m survey area' to the 'proposed scheme boundary' thereby excluding birds found in the desk study to be within the 50m Zone of Influence.</p> <p>Presumably Jacobs have change control on this document and can locate updates made to this document, it is noted that the original version is no longer available on the planning portal thereby</p>

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		removing public scrutiny where documents have been updated.
23	Jacobs Technical Memorandum 07/02/2024 erroneously claims Poynton Pool is not included within the local landscape designation	<p>No action taken. The purpose of a Landscape Character Assessment (LCA) is to identify, map, and describe the unique qualities of a landscape to inform planning decisions, manage development sustainably, and protect or enhance its character. LCAs help define what makes a landscape distinct and provide a framework for making informed choices about land management and future development. It is a document that supplements the Local Plan and is used as a material consideration within planning decisions.</p> <p>Poynton Pool is clearly mapped in the LCA within LCT11 under LCA11a and is even referred to by name: 'Adlington Character Area including Poynton Lake, Whitley Green, and Butley Town.'</p> <p>Jacobs Technical Memorandum 07/02/2024 erroneously claims Poynton Pool is not included within the LCA</p> <p>The planning case officer 2024 report clearly states 80+ trees and 80m of hedgerow will be removed, please also see comment 18 above detailing that over 200 trees will be lost with the CEC plan. This volume of tree removal will have a permanent and not temporary impact on the landscape; to indicate there will not be a massive and permanent impact even after 15 years is grossly misleading and inaccurate.</p>