



7 December 2025

Email: Friendsofpoyntonpool@gmail.com

OPEN LETTER to:

Nick Mannion, Leader
Rob Polkinghorne, Chief Executive Officer
Kevin O'Keefe, Monitoring Officer
Cheshire East Council
Delamere House, Delamere Street
Crewe, CW1 2LL

Dear Councillor Mannion, Mr Polkinghorne, and Mr O'Keefe,

Poynton Pool Spillway Application 23/4152M - Technical matters requiring senior oversight before any future recommendation to the Strategic Planning Board

Following our recent correspondence seeking clarification on the procedural status of the current Poynton Pool spillway application, I am writing separately to summarise several technical matters which, in our view, require senior-level assurance before any lawful recommendation can be made to the Strategic Planning Board (SPB).

This letter does not seek to reopen debate with or between engineers. Its purpose is simply to outline where significant factual uncertainties remain, and why these uncertainties mean that any recommendation to approve the scheme would be premature until they are resolved.

The April 2024 SPB instructions remain unfulfilled

SPB deferred the application to allow the following five actions:

1. Correct and update inaccuracies in the submitted data
2. Review the dam wall condition and risks associated with tree removal
3. Engage with third parties on alternatives
4. Obtain a further independent view, if necessary
5. Review the location of proposed mitigation and any alternatives

Based on our meeting with officers on 31 October 2025, four earlier meetings with the applicant officers and engineers, and documents submitted to planning by the applicant in October 2025, it is our understanding that all five areas remain incomplete, and of particular

technical significance are items (1), (2), and (4).

Given SPB's instructions, that these matters are outstanding indicates that the planning officers cannot make a recommendation for approval of the application proposal, either in its current form or subject to the amendments broadly outlined by the applicant in a telephone call to me on Friday 28 November and proposed to be submitted to planning by the 12 December.

The flood model has material uncertainties identified by an independent expert

Emeritus Professor of Experimental Physics George Lafferty of the University of Manchester submitted formal comments on your planning portal explaining that:

- The model used to simulate conditions at Poynton Pool has not been calibrated
- The engineers have produced a flood model, "***...but they provided no gauging statistics or historical flooding information to enable the model to be validated. Without validation, the model is essentially useless.***"
- The authors of the report acknowledge the shortcomings of the model when they write:
 - a. *"the probabilities are conditioned on methodological choices and expert judgement. The results may change if a different methodology is used"*
 - b. *"there are no gauging statistics in the Poynton Pool catchment area"*
 - c. *"No records of water-level recording in the Poynton Pool Reservoir were provided by Cheshire East Council"*
 - d. *"Historic flooding information could give verification data for the model. It is assumed that such information is not available".*
- The model builders clearly recognise the importance of the lack of verification of their model. Cheshire East Council must also recognise this.

The applicant's consultants acknowledge the catchment is a **small ungauged catchment**, subject to high uncertainty. This is not a disagreement between experts; it is an explicit limitation within the submitted Flood Study itself.

In addition:

- The bathymetric survey commissioned by the Environment Agency found water volumes significantly lower than modelled and that 40% of the basin volume was silt.
- The Environment Agency's own breach mapping that has been used in the applicant's assessment of the risk downstream from failure of the dam is based on the higher, now-outdated volume.

It would be unsafe for any officer to disregard these findings without a documented recalibration process.

The Hydrology Inputs Contain Known Discrepancies

Evidence previously submitted to the planning case officer demonstrates:

- Part of the direct catchment drains to Norbury Brook, not into the pool. The applicant has been provided with clear factual evidence, from a study by ADAS (the UK's largest independent agricultural and environmental consultancy, and provider of science-based advice and applied research), that in a previous planning application for open cast coal mining to the east of Towers Road, it was stated "*The natural and artificial discharges flow into the surface water streams, principally the Norbury Brook*".
- Residential drainage is routed away from the pool
- The artificial intake (included in the model) can be closed at any time

That a substantial proportion of the direct catchment reported in the Flood Study is directed away from Poynton pool aligns with the community's observations that the stillwater level has increased no more than 80mm since our monitoring began in July 2023. The 2024 Section 10 report identified that between 1 January 2016 and 1 July 2025, the Prescribed Form of Record maintained by Cheshire East Council identified fluctuations between 0.12m and 0.20m, a difference of 80mm, but only 40mm above the point at which the weir is just spilling (0.16m).

Additionally:

- Inflows and outflows have never been monitored by the applicant or its engineers
- The applicant has undertaken no verification against historic flood events
- There are no historical records of the current spillway having reached full capacity, or that the pool has spilled onto the embankment path
- Local monitoring has consistently shown the pool has not approached overtopping
- Friends of Poynton Pool has reviewed the anecdotal records from known major historic flood events and monitored the overflow during recent flood events, but this information has been ignored. The reservoir has never been observed to come close to overtopping either by rise in the stillwater level or wave topping. The obvious conclusion is that the Flood Model does not accurately predict flows for this small ungauged catchment. This raises the question why this is not the case, and there are three potential explanations:
 - The inflow to the pool is less than predicted because the model is flawed, either due to wrong inputs or coding errors
 - There is significant seepage through the embankment, which may be a design feature
 - A combination of both these factors

These points do not reflect a dispute of opinion; they reflect missing baseline data that SPB expected to be resolved before determination.

Recommendations of the 2024 Section 10 Inspection

The Section 10 Inspection recommended:

- 13.4(b) *“scrub and saplings on the dam crest between mature trees should be removed and regularly cut to promote good grass cover over the critical sections of the dam. There shall be no debris retained on the crest that would deter good grass cover, for example stacked timber, decaying vegetation, chippings etc. The trial area towards the south end of the dam is a satisfactory example. It is suggested that the maintenance is commenced at the point where the dam height is greatest, i.e. near the reservoir overflow and widened every year as directed by the Supervising Engineer. If appropriate consideration should be given to canopy thinning to increase light that will assist with maintaining good grass growth.”*
 - This recommendation appears not to be informed by arboricultural or forestry expertise, or by scientific evidence. Whilst on an embankment devoid of woody vegetation where woody roots will be absent, it might appear logical to conclude that an even grass sward increases erosion resilience. However, removal of trees from an already wooded dam embankment will result in the death of fine woody roots that bind and increase shear strength in earth embankments. **The council has a wealth of arboricultural expertise in its senior tree officers, who should be consulted on this and other tree management proposals, and the alternative of maintaining a species and age diverse population.**
 - There is no evidence or local knowledge that the raised section of the embankment described as *“The trial area towards the south end of the dam”* has ever been actively managed to promote grass cover, and no evidence has been presented to indicate that it has ever been a ‘trial area’.
- 11.3.2. *“This shall include the overflow dimensions and levels along with the derivation of the incoming flows to the reservoir during the annual probability of exceedance for 0.01% (1:100), 0.001% (1:1000) and 0.0001% (1:10,000).”*

This recommendation contains incorrect information in that it confuses percentages with fractions.

 - a 1:100 event APE = 1% (not 0.01%)
 - a 1:1000 event APE = 0.1% (not 0.001%)
 - a 1:10,000 event → APE = 0.01% (not 0.0001%)
- 13.2(c) *“using the outcome of Recommendation b), the design shall be completed to improve the resilience of the embankment and overflow system to safely convey the Design Flood and Safety Check Flood for a Category B reservoir as defined in the guide Floods and Reservoir Safety 4th Edition (ICE 2015) or, if considered appropriate by an All Reservoir Panel Engineer, a risk based approach that reduces the risk to the public living downstream to ALARP as defined in the guide Floods and Reservoir Safety 4th Edition (ICE 2015).”*

- **The risk from the reservoir has already been assessed by Jacobs as being within the ALARP range of risk, but this has not been adequately communicated to the Section 10 Inspecting Engineer, as, in the same way, it was not adequately communicated to the Planning Case Officer or the 2024 SPB.**

No site investigation has been undertaken, despite the embankment having been reported to contain granular material, which is a significant safety consideration when proposing changes to the management of vegetation on the embankment.

9.1 states *“It is understood that the reservoir was constructed by Sir George Warren around 1750, although there are no drawings available or other details of its construction. The original purpose of the reservoir is unknown, but thought to be part of the landscaping of the parkland around Worth Hall.”* This statement is incorrect in that the original pool was in the parkland around Poynton Hall and later Poynton Towers, and that there is detailed contour mapping of the pool on the *Ordnance Survey Six-inch, 1st Edition, Ireland, Scotland, England and Wales, 1840s-1880s*. An extract is included below. Further, the northern section of the embankment was constructed as part of an aborted canal project in the 1760s, which extended up to Black Road (now Towers Road). Prior to this a smaller ornamental lake had existed in the southern section of the existing Pool. We had made the applicant aware of this information prior to the 2024 S10 Inspection.

The removal of what is described by the S10 Inspecting Engineer as *“scrub and saplings on the dam crest between mature trees”* will destroy, for no benefit, what is currently a dynamic and largely self-sustaining tree population.

We have repeatedly called for the applicant to commission a new Section 10 Inspection, which would reset the clock in terms of statutory deadlines and would involve only limited work following the 2024 inspection little more than a year earlier. The applicant has advised that the advice of the All Reservoir Panel Engineers is that nothing has changed to justify a new inspection. We demonstrate here that a great deal has changed, particularly regarding the long-term impact of the Section 10 Report’s recommendations for the management of vegetation.

There has been no investigation of the dam embankment

Without a site investigation, neither the risks nor the mitigation requirements can be reliably quantified.

Without a site investigation, the recommendations for management of vegetation on the embankment are informed by the S10 Inspector’s assumption at 9.4 of his report that *“Although the composition of the embankment is unknown, the bedrock suggests it could be constructed from locally won cohesive material.”* We have demonstrated that the embankment is, at least in part, constructed of granular, non-cohesive material.



Statements Made by the CE (Construction Engineer) Require Clarification

At our meeting with your officers and engineers of 31 October 2025, the design engineer/CE made a deliberate and untrue statement in what appeared to be an attempt to influence those present when addressing representatives of Friends of Poynton Pool he said *"Fundamentally, your scheme affects the same number of trees as the proposal because*

you've got a very similar embankment. If you compare your embankment section with the 4 to 1 slopes, it's a slightly narrower footprint, but it's the same footprint on the embankment". This statement is factually incorrect based on dimensioned drawings, the tree survey data, and our 3D Lidar scan of the area of the embankment affected by our proposal. Because SPB and the Head of Planning rely on technical advice, it is important for decision-making integrity that technical statements presented to both officers and members are accurate. We are therefore asking that this point be formally reviewed and clarified for the benefit of the planning officers and SPB.

Independent Review Has Not Occurred

Despite being requested by SPB in April 2024 and again by Friends of Poynton Pool, there is:

- no evidence of an independent review
- no documentation indicating that the 2024 S10 Inspecting Engineer examined the proposed scheme, or understood the level of risk presented by the Pool as calculated by Jacobs
- no assessment comparing alternatives such as Option 1D, despite Cheshire East Council's acceptance that viable low-impact options exist

This leaves SPB without the third-party assurance it required in the absence of agreement between the applicant and the community's experts.

A New Section 10 Inspection would resolve all outstanding questions

Based on discussions with the Environment Agency's NW Director, we understand there is no objection to CE commissioning a new Section 10 Inspection.

A new inspection would:

- reset statutory deadlines
- provide updated engineering judgement
- allow time for proper site investigation
- resolve hydrological uncertainties
- allow community engagement to occur collaboratively
- establish a clear path to a compliant, proportionate scheme

For these reasons, we believe a new Section 10 Inspection is the safest way forward for all parties.

Misinformation is frustrating public consideration of the proposal

Information available to the public on the Cheshire East Council website under the heading '*Poynton Pool Spillway Improvements*' is incorrect, out of date and misleading. This misinformation and repeated failures of the council's planning portal have prevented the public's consideration of the application proposal.

Conclusion

We recognise the complexity of this project and the pressures on officers. The current spillway proposal would destroy a cherished and well used community asset. There are alternative solutions that would have a minimal impact on the amenity and biodiversity of Poynton Park.

Any decision made by SPB should be informed by accurate information regarding the risks and the proposed solutions. To date, the planning officers and SPB have been presented with inaccurate and incomplete information. Our intention is not to criticise but to ensure that SPB has a complete and accurate evidence base before reconsidering the application.

Given the outstanding issues above, we respectfully request:

1. Consideration of commissioning a new Section 10 Inspection before progressing the application in light of the new information
2. A senior-level non-stakeholder-led review of whether the technical evidence is sufficiently robust for a recommendation to approve the application in its current or the proposed slightly modified form, and whether less harmful alternatives are available.

The Friends of Poynton Pool community group remains willing to support the council in any constructive steps that improve the evidential clarity and ensure compliance with SPB instructions. We would welcome constructive engagement to ensure the process is legally robust, transparent, and based on complete information for the benefit of both the Council and the community.

We look forward to your response.

Yours sincerely,



M J Ellison (Chair)

Friends of Poynton Pool Ltd

Cc: David Malcolm, Head of Planning, Cheshire East Council

Debra Wrench, Property Projects Manager, Cheshire East Council

Ian Crewe, Environment Agency Area Director

Tim Roca, Member of Parliament for Macclesfield