Inspector's questions in respect of Acton Point 4.

I have read the material that has been sent to me in respect of this action point.

There are a number of matters raised, but I believe the principal question is whether phosphorus and nitrogen as likely significant effects on the SA/Ramsar sites should or should not have been screened out in respect of the Appropriate Assessment (AA).

Mu understanding is that they were screened out because the Environment Agency (EA) has a review of consents process in which consents are adjusted if necessary to reduce the nutrient concentration of discharged effluent, to ensure an acceptable standard of treatment for all development. The EA has reviewed wastewater treatment works (WwTW) discharging to the Arun catchment, but permits have not been tightened. If a WwTW has not had its permit tightened it is because effluent quality is already deemed acceptable by the EA. Therefore, the applied treatment standards at the WwTWs discharging to the Arun catchment were considered sufficient to protect the European site. In addition, the primary source of nutrients in the Arun Valley is from diffuse pollution sources such as run off from agriculture. Thus there was considered to be no requirement for specific Local Plan modelling for nutrient neutrality.

The representor states that the works to which Adversane would be discharged have not had their consents reviewed recently. There are no phosphorus or nitrogen limits at Pulborough, so there is no nitrogen limit to tighten, and its effluent phosphorus has not been measured since 2009. There have been significant discharges from the Billingshurst works. The AA relies on the efficacy of the Environment Agency's regime which is a rebuttable presumption.

I have allowed the Council the final say on each topic in the examination proceedings so I should like the Council and its consultants to provide me with an objective final response on this issue. I need to understand whether the Council is fully confident that its approach is legally compliant. I should also like to know whether the approach that the Council and its consultants have taken in this instance has been appropriately employed in similar circumstances. If it is possible to obtain them, comments from the Environment Agency might be helpful.

Jonathan Bore

INSPECTOR

28 October 2026