



Action Points arising from Issue Specific Hearing 2 (ISH2) on environmental issues held on Wednesday 28 January to Friday 30 January 2026

**Response from the
Royal Society for the Protection of Birds**

**Submitted for Deadline 4
10 February 2026**

Planning Act 2008 (as amended)

In the matter of:

**Application by National Grid Electricity Transmission for the
Sea Link Project**

**Planning Inspectorate Ref: EN20026
RSPB Registration Identification Ref: [REDACTED]**

The applicant's proposed revision of the Register of Environmental Actions and Commitments (REAC) [REP3-078] wording to commit to a minimum 3 metre (m) high acoustic fence at the proposed HDD compound.

The RSPB welcome the proposed commitment to install a close-board acoustic fence around the HDD compound of a minimum of 3m high. We agree that this (along with other best practice measures) should have a beneficial effect in reducing noise and light spill and in reducing visual disturbance more generally, although we note that some work/equipment will still be visible over the top of this fence, as outlined in the Applicant's response to 1ECOL57 in their Responses to ExQ1 ([REP3-069](#)). We therefore also welcome the Applicant's commitment at ISH2 to further update measure B23 in the REAC ([REP3-078](#)) to specify that the noise monitoring will be used to identify any need for further adaptive noise mitigation required for designated sites during the construction period.

The amendment of Suffolk Ecology and Biodiversity chapter [REP1-047] paragraph 2.9.14 to reflect that generators would operate for 6 months rather than 3 years and would therefore not give rise to acid deposition or related air quality effects.

Whilst we agree that the reduced operating period for generators at the HDD compound should reduce the level of concern around acid deposition or air quality impacts on the Sandlings SPA and Leiston-Aldeburgh SSSI, we defer to Natural England's view on whether such impacts can now be ruled out. We agree however that the ES should be updated in any case to ensure that the assessment remains accurate.

The applicant's statement that stage 5 plant is not required to be used at the HDD compound in Suffolk, given the lack of identified air quality impact.

Further to the points above, we again defer to Natural England on this point.

The necessary control measures in respect of UXO, if UXO were to be identified at the HDD compound.

Requirement for EIA to identify impacts and mitigation in respect of UXO

In our view, the necessary control measures, and in particular, the mitigation measures likely to be required to minimise impacts on designated sites, should be identified through the Environmental Impact Assessment and specifically included within the DCO list of required measures. As we raised previously in section 2.2.9 of our Written Representations ([REP1-158](#)), we are concerned that there appears to be no mention of UXO in ES Part 2 Suffolk Chapter 2 Ecology and Biodiversity ([REP1-047](#)) and no mention with regard onshore sites in the Habitats Regulations Assessment Report ([REP3-038](#)).

The Applicant's response to 1GH1 in their Responses to ExQ1 ([REP3-069](#)) suggests that the UXO process is planned to sit outside the DCO or any other planning process, and therefore that environmental impacts will not be assessed until after the Examination:

"In respect of any terrestrial consenting required for such activities, the Applicant's experience is that, unlike in the marine environment, on land, consent such as planning permission is not typically required given the nature of the activity to deal with UXO. As referred to above, the Proposed Project's construction design, including deep trenchless crossings at landfalls, has looked to limit the potential impacts of UXOs disrupting construction activities, and therefore on ecology and designated sites, as far as practicable. Options for disposal discussed above will be risk assessed at the time of identifying the UXO and any mitigation, including for ecology and designated sites, will be considered and included as part of the UXO detailed risk assessment, produced at the time. Any consents/permits (e.g. Site of Special Scientific Interest Assent / Habitat Regulations Assessment) and associated impact assessments will also be sought/produced at that time."

This apparent deferral of any environmental assessment until after the consenting process is complete is of serious concern to us as it means that the full environmental impacts of the project or the proposed mitigation cannot be properly subject to scrutiny as part of decision making.

We are also concerned that this approach does not appear to accord with the requirements of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. The Infrastructure EIA Regulations are clear on those requirements, especially regulation 5 around the consideration of all potential effects through the EIA process and regulation 14 on requirements for the contents of the ES, with Schedule 4 being clear on what must be considered and included as follows:

Paragraph 1 - A description of the development, including in particular—

(a) a description of the location of the development;

(b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;

Paragraph 4 - A description of the factors specified in regulation 5(2) likely to be significantly affected by the development:

Paragraph 5 - A description of the likely significant effects of the development on the environment resulting from, inter alia—

(a) the construction and existence of the development, including, where relevant, demolition works.

Therefore, consideration should be given to both the need for the initial survey as well as the processes which may be necessary should UXO be located and the mitigation measures available to for potential impacts on habitats or species.

We consider that this approach to enable full assessment of impacts during the Examination would be consistent with the approach the Applicant has taken for other construction risks, such as drilling fluid frac out, for which potential impacts have been assessed and mitigation measures secured in the REAC.

Clarity required regarding area to be subject to UXO survey/removal

We assume that UXO investigations will be required in the vicinity of the HDD compound at the Suffolk landfall, however, we also request clarity regarding any other areas which may require such works. The Applicant's response to 1GH1 in their Responses to ExQ1 (REP3-069) indicates that the maximum penetration of UXO is around 8-12m below ground level, depending on ground conditions. Reviewing the Aldeburgh Indicative Landfall HDD Profile on epage 99 of the Design Development Report ([APP-321](#)), this suggests that the HDD drill head will not reach these depths until it is East of the railway line and beneath the Leiston-Aldeburgh SSSI and the RSPB's landholding and therefore that areas between this point and the compound may also require investigation. Given the potential impacts of UXO survey and excavation (discussed further below), we request that a plan of the areas around the HDD compound and any parts of the HDD drill route that would need to be subject to UXO survey (and potentially, excavation) is provided.

UXO survey and excavation methods

With regard to the identification of UXO at specific locations, we note that the survey methods that will be required to identify presence have not been specified. At ISH2 the Applicant suggested that surveys would employ non-intrusive techniques, however, the technical requirements for non-intrusive surveys in the UXO risk assessment report from Safelane (epage 535 of the Appendices to EXQ1 [REP3-070](#)) suggest that this may not be possible in any risk areas that form part of the HDD crossing at the Suffolk landfall:

“Ground must be level, free of obstacles / obstructions and clear of undergrowth.”

We note that, for Sizewell C, UXO surveys were carried out after vegetation clearance had taken place. If any vegetation clearance were proposed within the Leiston-Aldeburgh SSSI, the impacts of this on habitats and on bird disturbance would require assessment and would be likely to require mitigation, although, we also note that ground conditions and presence of ditches etc may make such surveys difficult in any case.

Assuming that surveys may be required in the shallower HDD sections, the Safelane report (epage 534) also suggests that ground-based non-intrusive surveys may not be sufficient due to the depth required:

“The [non-intrusive survey] system can detect the magnetic field from a 50kg WWII air-dropped bomb at a depth of 4m and smaller items such as Land Service Ammunition to depths of up to 1.5m in ground with a low ambient magnetic field. In the case of soft geology, it should be noted that a 50kg high explosive bomb may be buried greater than 4 metres below ground level and therefore may not be detected by the survey. In this instance intrusive surveys may be required.”

At ISH2 the Applicant also suggested that a drone may be used for non-intrusive UXO surveys. We request that details of the technical capabilities of this method are provided (in particular regarding the depth to which such surveys are effective) in order to demonstrate that non-intrusive surveys are possible in this area.

Should intrusive surveys and excavation be required (or excavation subsequent to a non-intrusive survey), this could result in damage to habitats within the SSSI and disturbance of birds within the SSSI and nearby Sandlings SPA. At present, no details of excavation techniques have been proposed and therefore it is not possible to clarify impacts on habitats or suggest potential mitigation measures. However, we are extremely concerned that, if investigations are required in the shallower part of the HDD crossing, given the maximum UXO penetration depth of 8-12m, that intrusive surveys involving excavation to this depth might be required (due to the limitations of non-

intrusive surveys) which could be significantly damaging to the SSSI and to the RSPB reserve.

With regard disposal of any ordnance found, the Applicant's response to 1GH1 in their Responses to ExQ1 (REP3-069) states that:

“Options for disposal may include controlled detonation, treatment on site to remove/neutralise the explosive material safely or removal from site to a controlled location for detonation or treatment.”

Whilst we accept that health and safety requirements will largely dictate the decisions around these options, we recommend that consideration should be given to the choice of potential locations to which UXO may be removed for controlled detonation. Our experience with Sizewell C has shown that these detonations can result in repeated disturbance to birds and given the proximity of potential risk areas to the Leiston-Aldeburgh SSSI and Sandlings SPA, the choice of location could significantly affect the disturbance levels experienced by birds (and other wildlife and grazing animals) on these sites. The timing of the UXO investigation works is also likely to affect the significance of such disturbance and the species likely to be affected and we recommend that this is also clarified as part of an assessment.

With regard both survey and excavation/disposal methods, we request that Natural England and RSPB are consulted with regard potential mitigation measures.

Recommendations

In summary, the Applicant's approach to the assessment and mitigation of UXO-related impacts remains of significant concern to us. We consider that a proper assessment of impacts and potential mitigation for designated sites is required and therefore should be provided within the Examination period as part of the project EIA so that the decision process can take this issue into account.

As part of this, we also need clarity regarding the proposed UXO survey, excavation and disposal methods and their locations and timings, particularly with regard any need for works within the Leiston-Aldeburgh SSSI and RSPB reserve. We also request that a commitment is provided for Natural England and RSPB to be consulted regarding mitigation of impacts of UXO survey, excavation and disposal.