

# HINCKLEY NATIONAL RAIL FREIGHT INTERCHANGE

*Blaby District Council (IP ref.  
20040018) Written statement of  
oral case at ISH3*

*Appendix 1 – Additional points  
on Applicant’s assessment of  
likely noise impacts (ref.  
TR05007).*

**Deadline 3 - November 14, 2023**

## **1 Introduction**

- 1.1 As noted at paragraph 5.3 of BDC's Written statement of oral case at ISH3, due to the hearing's time constraints BDC's noise consultant was not able to make a number of points in relation to the Applicant's assessment of likely noise impacts. Outlined below are the additional points BDC sought to make at ISH3.

## **2 Threshold for determination of effects**

- 2.1 Paragraph 10.36 of ES Chapter 10 [APP-119] states *"The effect is determined by the change in noise level, with changes of 3dB being only just perceptible under laboratory conditions. This relates to noise that is continuous and similar in nature to the existing noise, however using the rating level, rather than the specific level, accounts for this"*. BDC consider such an approach is not robust for the reasons detailed below.
- 2.2 Paragraph 2.7 of the Institute of Environmental Management and Assessment Guidelines for Environmental Noise Impact Assessment (IEMA Noise Guidelines) states that (our emphasis) *"For broad band sounds which are very similar in all but magnitude, a change or difference in noise level of 1 dB is just perceptible under laboratory conditions, 3 dB is perceptible under most normal conditions, and a 10 dB increase generally appears to be twice as loud*. Therefore, a change of 3dB for broad band noise such as road traffic (noise that is continuous and similar in nature), would be perceptible under normal conditions, rather than only just perceptible under laboratory conditions as claimed by the Applicant.
- 2.3 Paragraph 2.7 of the IEMA Noise Guidelines then goes onto to state that *"These broad principles may not apply where the change in noise level is due to the introduction of a noise with different frequency and/or temporal characteristics compared to sounds making up the existing noise climate. In which case, changes of less than 1 dB may be perceptible under some circumstances."* BDC posits in the context of the Proposed Development that noise of an industrial nature is likely to be more perceptible.
- 2.4 As noted above, the ES at paragraph 10.36 states that *"using the rating level, rather than the specific level, accounts for this"*. However, the assessment, with mitigation in place, uses the specific level rather than the rating level it claims to use and indeed should be used in accordance with current standards. The rating level needs to account for Acoustic Character corrections which should be applied to the specific level to account for, amongst other things, tonality of the specific noise, intermittency of the specific noise, and impulsivity of the specific noise (i.e. noise with different frequency and/or temporal characteristics as set out in the IEMA Noise Guidelines). These are all characteristics which separate industrial noise sources from broadband sources such as road traffic.
- 2.5 Despite this, paragraph 10.288 of the ES [APP-119] states that it *"is is considered that with the proposed acoustic barriers in place, impulsive noise associated with the proposed operations closer to the ground are unlikely to be*

*perceptible. Therefore, no penalty for impulsivity has been included within the following assessment.”*

- 2.6 BDC submit that no character correction of any kind has been applied. Therefore, the assessment is based on the specific level rather than the rating level as claimed and required under British Standards. There is no justification for the removal of acoustic character corrections with mitigation in place. This approach has total disregard to the nature of the sound that is being assessed and is not an acceptable approach. BDC submit that the Applicant’s approach leads to a significant underestimation of the predicted impacts and overestimation of the attenuation provided by the bunds. This is because not only do the values include the attenuation benefits of the bund itself, but also the benefit from the removal of the characteristics, or ‘penalties’, that need to be attributed to the noise source and should be applied to the specific level.
- 2.7 Whilst the Applicant has tried to contextualise the above point at Paragraph 10.161 of ES Chapter 10 by stating *“Although operations will include activities which are individually intermittent, it is considered that many of these operations will overlap, which will give the impression of the site operating consistently”*. The reasoning being that because the Proposed Development will operate continuously it will become a ‘broad band’ noise source. BDC submits this contradicts the IEMA Noise Guidelines and importantly BS 4142.

### **3 Impact of 3 dB Increase**

- 3.1 BDC refers to the IEMA Noise Guidelines which state that *“3 dB is perceptible under most normal conditions, and a 10 dB increase generally appears to be twice as loud”* in reference to broadband noise such as road traffic. BDC consider that these values are important to note, as they highlight the underestimations of impacts made throughout the noise assessment.
- 3.2 Paragraph 10.41 of the ES states that *“A change of 3dB LAeqT or greater is generally considered to result in a noticeable change”*. This statement is in contrast to their earlier assertion at para 10.36, which correlates to a ‘Medium’ impact in accordance with their IEMA Noise Guidelines summary in Table 10.9 and the short-term DMRB impact within Table 10.11 of the ES. Paragraph 10.54 similarly states that *“Changes of medium magnitude or above are considered to be significant.”*
- 3.3 In respect of road traffic impacts, and taking the future baseline scenario as a starting point, i.e., considering impacts for all other committed developments but excluding impact from the Proposed Development, Paragraph 10.112 of the ES states that *“For noise levels to increase by 3dB, which is widely accepted to be just perceptible, there would need to be a doubling of existing flows”*. Whilst it is not disputed that a doubling of road traffic would result in a 3dB increase to ambient levels, it has already been established above that a 3dB increase cannot be described as “widely accepted to be just perceptible”.
- 3.4 Paragraph 10.112 goes on to state that *“A review has been undertaken of the traffic data provided by the Transport Consultant, which indicates that there will*

*be a 4dB increase on the B4669 and slip roads associated with the M69, and up to a 6dB increase at the roundabout associated with junction 2 of the M69”.*

- 3.5 A change of 4dB would correlate to a ‘Medium’ impact in accordance with the IEMA Noise Guidelines and DMRB guidance, with a change of 6dB representing a ‘High’ impact in the short-term in accordance with DRMB (Moderate and Major respectively if we were to use DMRB terminology).
- 3.6 BDC submit that it is important to consider sensitive dwellings at these locations. The above demonstrates that even before the Proposed Development comes to fruition (future baseline scenario), the sensitive dwellings will already have experienced noise level increases of up to 6dB. These increases also need to be considered in relation to cumulative, or in-combination impacts. It should be noted that IEMA Noise Guidelines references the effect of cumulative impacts at paragraph 7.86 as follows:

*“There can be situations when separate, independent proposals are put forward at about the same time and which are going to impact on the same receptors. The various proposals need to be assessed independently, but at some point, there should be liaison between the projects to consider the cumulative impact on the sensitive receptors of all the proposals. The cumulative impact is likely to be of concern for the local planning authority and, of course, those affected by the proposals are unlikely to differentiate between the noise from the different developments. They are simply going to perceive the total change to their noise environment, should all the developments be implemented.”*

- 3.7 Therefore, one needs to consider the cumulative impact for both the future baseline (4 – 6dB increase), along with the impact of the Proposed Development itself, which has not been undertaken.
- 3.8 BDC submits that one can predict (at an unsophisticated level) what these impacts may be based on the ‘without mitigation’ impacts presented at paragraph 10.237 of the ES. It is important to note at this point that the crude approach is due to the lack of tabulated information presented within ES Chapter 10. For example, no receptor specific numerical values are provided, therefore, we can only estimate what the numerical impact is based on the descriptive ‘Major’ effect stated at paragraph 10.237 as follows:

*“The four residential receptors predicted to experience a major adverse effect are located...One receptor within the traveler’s site, along Smithy Lane, nearest to Junction 2 of the M69... Two receptors at the traveller’s site along Leicester Road (B4668)”.*

- 3.9 This statement suggests, albeit without mitigation, that a Major Impact ( $\geq 5$ dB in accordance with DMRB) would be experienced at two of the locations predicted to experience Medium to Major impacts for the future baseline. Therefore, these receptors would likely experience an increase of 10+dB when considered cumulatively in accordance with the IEMA Noise Guidelines.

- 3.10 It is appreciated that this is based on the ‘without mitigation’ scenario, nevertheless, it highlights the fundamental flaws within the assessment. BDC suggest that any benefits associated with the mitigation scenario cannot be relied upon.

#### **4 LAmx levels associated with Gantry Cranes**

- 4.1 Paragraphs 10.311 and 10.312 of the ES indicate that a 10dB reduction has been afforded to the gantry cranes through the provision of mitigation in the form of suitable equipment selection and exhaust silencers, which obviously is welcome. However, this reduction can only be afforded to the rating level of the plant, and not maximum event levels associated with, for example, impact noise associated with container stacking.
- 4.2 Upon questioning this point with the Applicant, they have referenced the Proof of Evidence document presented in Appendix 10.7 [[APP-186](#)]. However, upon reviewing the Proof of Evidence document BDC considers this does not provide robust a evidence base, rather the relevant document just states that a 10dB reduction can be afforded but doesn’t offer any numerical data to verify this claim. Therefore, this reduction cannot be afforded to maximum levels within the mitigation scenario, and subsequently, this mitigation scenario cannot be relied upon.