

## Hinckley\_ISH6\_24 Jan\_PT4

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### FULL TRANSCRIPT (with timecode)

00:00:06:18 - 00:00:22:19

Okay. All right. Can I just confirm that the live stream is back up and that the recording is taking place? Thank you very much. Um, I think welcome back for this session on Item on Noise, which made it through.

00:00:23:05 - 00:00:58:15

Thank you, Mr. Dyson. Before we begin to discuss the merits of noise, I would just like to reiterate to interested parties that this is primarily a written process. Accordingly, given the technical nature of concerns regarding noise methodologies, together with the time available to us to aural events to cover a host of issues, it was considered appropriate to mainly examine noise initially through our written questions, hence the restricted round. First round of oral questions. The written responses have now provided the platform for hopefully more informed oral examination today and, if necessary, additional written questions to the applicant and interested parties.

00:00:59:09 - 00:01:30:05

So we do not touch on a topic here. Please rest assured that it will still be considered. We are aware of the concerns of interested parties as we work for the first time of, um, oral hearings. So moving to the first item, then baseline conditions. As I'm sure the applicant is aware, there have been concerns in terms of why noise collected at noise monitoring positions was directly transposed to ambient levels at noise sensitive receptors in the absence of attenuation. From the Noise Assessment Update Note and latest response at D4.

00:01:30:13 - 00:02:02:15

I understand that the applicant is stating that for NSR in relation to NpF4 receptors, experienced road traffic noise and this is comparable to noise NpF4 and therefore negates the need for attenuation. That said, the evidence before us. Notably, the summary results for NpF4, which are presented in Mr. Moore's evidence for 2004, appears to show that the lake sound levels for NpF4 repeatedly spike up and down throughout the daytime and nighttime, and these are for brief periods only.

00:02:02:28 - 00:02:24:27

So surely this can only be for train classifiers. Such noise is quite unlike road noise. There also appears to be notably lower sound levels when trains aren't passing. So to the applicant, what assurances can give to demonstrate that there is indeed a comparable road noise influenced environment for NSR north of the main site compared to the noise monitored at NpF4.

00:02:27:17 - 00:03:03:11

Um, so, Luciano, on behalf of the, um, applicant. Um, so, yeah, we did provide some additional information at deadline three in the, um, in the written statement. Okay, so as you mentioned, um, and we, uh, reviewed the latest available, uh, noise mapping for the rail line, and that aligns with the noise. Uh, noise levels measured at NpF4. Um, to provide context around the likely existing noise levels from road traffic on the surrounding roads. Um, the baseline 2019 noise model has been reviewed, which is based on the baseline 2019 traffic data.

00:03:04:08 - 00:03:42:20

Um, this does not include any development traffic and purely relates to the existing baseline traffic for 2019. Um, it's important to note that the model only includes those roads that are within the study area for noise, and therefore it does not include all of the surrounding roads. The using the two sources to the levels, um, measured at NpF4, uh, the different um mapping for the rail line, um, and the, the data, the noise levels. Sorry. Uh, predicted by the 2019, um, noise model, um, it's possible to determine the ambient noise levels in the vicinity of receptors located further away from the railway line.

00:03:43:12 - 00:04:21:09

Um, and we do this by essentially logarithmically stemming the noise level from the rail line with the noise level as a result of road traffic. Um, the results of that calculation, um, were shown, which are shown within table four of the written statement of the case, um, that was provided, um, after the last hearing. Um, this analysis indicates that as distance increases from the rail line and road traffic from surrounding roads becomes more dominant, and the predicted cumulative noise levels from um, the rail line and the road sources are within an acceptable range of around one DB of noise levels that are used within the assessment.

00:04:21:11 - 00:04:55:12

So the ambient noise levels are used within the assessment, and therefore the results and conclusions stated within chapter ten remain valid. Notwithstanding this, the crux of the matter appears to be whether the ambient noise levels used within the context of assessment at receptors in the vicinity of NpF4 are representative, and the analysis that we've done shows that they are, um, it's not appropriate to simply apply a distance correction to noise from the rail line in isolation, as this does not take into account the contribution of road traffic noise at distances further away from the rail line.

00:05:00:15 - 00:05:05:10

And ask if there are any comments from interested parties on that particular matter, then Doctor Moore.

00:05:07:10 - 00:05:31:06

Yeah. Um, I could say a lot more about this than I actually going to hear. Um, but I think it will be better to give that in written form. Uh, but given the time and the circumstances, I'm just going to pick up one point here which deals with, uh, not the, uh, road noise, but around noise data that they've used.

00:05:33:07 - 00:05:34:27

Perhaps, um.

00:05:37:06 - 00:06:03:26

Um, from document reference 18.7.6. Uh, the written statement of the case is H three um, appendix F noise assessment of dynamic. Perhaps I could get figure two from page eight. That is, page not um, the, the, uh, PDF page. It's not possible.

00:06:09:01 - 00:06:21:16

No, I'm looking to you. If I've asked you for the right thing. Yeah, yeah, yeah. Okay, well, you can see there that you've got, uh, this is actually for, um.

00:06:24:18 - 00:06:55:21

Night time. And you can see you've got bands there, uh, which show, um, different, um, levels of ambient noise. And, um, this one here, as I've mentioned, is actually for the evening. But, um, if you compare in detail this with the daytime noise that I forgive, you expect to see a three DB difference.

00:06:58:24 - 00:07:34:16

In fact, there's no difference between the two. Except that the nighttime one is slightly higher. That is, the bands are larger than the daytime one. Which indicates as a preliminary the sort of quality of data you're talking about. The second thing is that if you look at the boundary between the orange and the yellow, which is indicated at, I think, 55 dpi.

00:07:36:09 - 00:07:45:26

You actually find that? That is very broad. You can see it's broad and it extends out. Our area.

00:07:47:13 - 00:08:16:21

But if you actually look what happens down the page at an MP4, you find that this, uh, array of bands is actually carried on straight down. It's exactly the same, basically at an MP4 as it is here. Then you can look at what actually was recorded at NpF4 during those week long periods of extensive measurement.

00:08:18:14 - 00:08:34:21

And you find that at night the maximum value that was recorded, the the value, the la q value, which is comparable to the one here with 56.2 and that was at 12m from the track.

00:08:37:15 - 00:08:51:21

So what you have here is something which is indicating that you're actually getting that virtually same level of noise as was actually recorded by an MP for.

00:08:53:07 - 00:08:59:14

Within the boundary. Every. Probably. Construction.

00:09:03:04 - 00:09:07:20

If you look at the difference between those two.

00:09:11:18 - 00:09:23:18

Who? Effective error that you see in this, um, different data. Is 12 to 15 days.

00:09:28:21 - 00:09:43:11

This means where you can visualize this in two different ways. If you look at the key in the bottom right. You actually can imagine if you can do this, take away from maybe 15 DB away from the figures that you see in there.

00:09:44:27 - 00:09:51:13

Well, the other way you can look at it is actually to strip off two and a half of these gradations.

00:09:53:26 - 00:10:08:17

This brings all of what's been shown within the orange boundary within the boundary of the railway. No encroachment of this onto any of the NSA's.

00:10:10:29 - 00:10:15:21

So this in itself transforms the contents of Triton's uptake that.

00:10:17:17 - 00:10:45:00

Now in the noise and vibration study proper. It's not the update note track trying to make reference in their paragraph 10.252 to this same diff remapping. That state that and I quote, the different mapping is produced at a strategic level and therefore not accurate enough to design against.

00:10:46:18 - 00:10:49:29

But when they've actually produced this data in the update note.

00:10:51:17 - 00:11:04:04

That warning does not appear. So the question arises. We try to be aware of this difference between the different note of information they're proffering here.

00:11:06:11 - 00:11:18:16

Over standard, an MP4, which was taken over a week or so and is actually, if you like, the centerpiece of their um. Um, noise and vibration study.

00:11:21:07 - 00:11:22:24

Well, they simply unaware of that.

00:11:29:10 - 00:11:31:09

This one, which is actually nighttime.

00:11:32:28 - 00:11:39:20

Where the weekday night time. Where are. The weekend values.

00:11:41:27 - 00:11:44:12

However, the weekend night time values.

00:11:47:23 - 00:11:59:11

In week, week and night time. Often very, very few trains run. And effectively, these contours disappear.

00:12:03:05 - 00:12:07:03

It's. No. Around the waist. And I thought.

00:12:13:09 - 00:12:29:23

Now. I would not miss the main point I wanted to get over the time I got. I think it's actually been quite well received. The other thing I would mention is that the corresponding road noise as well can be.

00:12:31:12 - 00:12:58:11

If it were provided, could be compared with the noise that is available from NpF4 because, as you rightly say, an MP4 has logged data during those periods when no trains are passing. And you can see that values of. And I'm looking here when no trains are present, which actually if I see arrests, you might see the um.

00:12:58:25 - 00:13:09:05

Well we'll come to that in due course. We're just just taking a step back. Yeah. Will the applicant like to respond in relation to this issue, in terms of there not being a comparable rail and road environment here?

00:13:10:27 - 00:13:43:22

Yeah. So Lucy, for the Lucy I'll move the applicant. Um, firstly we're not designing against the, the, uh, noise data that is shown by Defra. We're basically using it just to quantify the noise levels of the receptors and to provide some evidence, um, against what we're saying. Um, the noise, uh, maps are annualised. Um, so they're not, you know, they don't differentiate between weekday and week weekend, but they are, um, annualised. So they're averaged over, over a period of time.

00:13:44:13 - 00:14:24:19

Um, so they are representative of the noise levels in the area. Um, going on to the point about the, the spikes in the, um, noise levels that you get when the train passes and then, you know, it drops off when, when the train has gone and there's, you know, there's no train there. Um, the way that the noise levels are measured in the way that they're quantified is over an equivalent. It's an equivalent noise level over a given period, and that's how it's measured. Um, so the noise levels that we've measured at NMP for the way that the data for noise mapping is presented is, is is, you know, is representative is the way that that noise is is quantified.

00:14:27:12 - 00:14:28:27

Thank you. So.

00:14:29:21 - 00:14:31:20

All right? Yes, sir.

00:14:32:06 - 00:14:33:04

If you just introduce yourself.

00:14:33:18 - 00:14:59:08

I'm William David Moore. I have some general comments I'd like to make about the noise assessment update. Note the applicants noise assessment update note is a mess. The update doesn't address MMP three and its MSR 19 verbiage, comment, and words at all. It doesn't address all the MSR associated. Mr. Moore would come to that coming later. That's just the first sentence. The rest of that NpF4.

00:15:01:18 - 00:15:33:04

It doesn't address all the NZR associated with NpF4. It only addresses the NSR, which it thinks are on Burlington Road East. The update misstates the locations of NSR two, three and four. The update thinks they are on Burlington Road East, but they aren't. They should not have been included in table five and the claims sound claimed ambient sound levels of those measures can be discarded. The applicant has attempted to introduce rail noise contours to claim the NSR in table five.

00:15:33:06 - 00:15:55:04

Experienced 15 DB of ambient rail noise. If you look at the contours and at the NSR locations, you'll see that every single one of them are outside rail noise contours. The applicant has attributed 50 DB of ambient rail noise to each NSR in table five, even though they're all outside the contours. The applicant shouldn't have done that.

00:15:56:21 - 00:16:32:25

On the claimed ambient road noise. The applicant's own report states of the ambient sound levels predicted by the applicant's road noise model are higher than those measured by noise monitoring positions at 95, in close proximity to the to the M 69. The ambient sound levels predicted by the applicant's road noise model was seven DB above the levels measured by MMP five at MMP one, in close proximity to the M 69. The predicted daytime ambient sound levels were 5.4dB above the levels measured and used in the report.

00:16:33:17 - 00:16:41:11

The predicted nighttime ambient sound levels were 6.4 DB above levels measured, measured, and used in the report.

00:16:42:27 - 00:17:19:05

Yeah, Lincoln knew that road noise model predicts levels which are higher than those measured by NPS, and yet the applicant is still attempting to use their road noise model to make definitive claims about ambient road noise. Yeah, you shouldn't have done that. Because the applicants road noise model is known to overstate ambient sound levels. I put in a response to the noise assessment update

note. When I did that, I assume that it was just a placeholder posting by the applicant, and that when it came to answering the examining authority's question, there would be a much more fulsome response from the applicant.

00:17:19:22 - 00:17:22:02

But there wasn't. This is all there is.

00:17:26:01 - 00:17:43:12

Thank you. That sort of leads me on to the second question for you. And that's what the gentleman is saying here, is that they that the road noise concerns over state road noise levels compared to those measured at NPS. I think specific reference is made to NP one. And the differences between, um.

00:17:45:19 - 00:18:07:01

Ambient sound levels used for reports for NSR here compared to NpF4 and SRS. Can the applicant just explain the robustness of the road console to use in lieu of attenuated real noise? In relation to Mr. Moore's evidence at rep for 204, which which does dictate eight points of concern in relation to the to the road noise.

00:18:08:03 - 00:18:40:17

Uh, Lucy for the applicant. Um, yeah. So the, um, for the, uh, baseline road noise model, um, the the results are actually show good correlation with the, uh, long term baseline noise monitoring. That was done. So at NMP one and two, I think from the top of my head, um, where it's sort of where it starts over predicting it is at the short term, um, at the short term monitoring locations, which were NMP five and NMP six.

00:18:41:12 - 00:19:11:24

Um, and that's that there's clarity provided around that within the um, within the chapter. Um, but basically because it is a shortened the measurements were basically taken over three hours. And then there's a, there's a calculation that you can do that will like extrapolate out the three hour to a 16 hour. Um, but there's obviously, you know, a bit of uncertainty around that. So in terms of long term where I think we need three DB, which is, which is within a and within an accepted tolerance for the short term.

00:19:11:26 - 00:19:14:24

We're a bit more than that. But that that's to be expected.

00:19:16:12 - 00:19:18:19

Thank you. Yes. Mr. Moore? Yeah.

00:19:18:28 - 00:19:52:25

Um, well, the applicant is. What the applicant is ignoring is the 4142 assessment does not use the average look. It uses the lowest day for each period. So for example, it uses the lower of the two weekend daytimes or the low of the two week and night times. And the discrepancies of 5.4 DB for the daytime at MMP one and the 6.4 DB for the nighttime at P1, are the differences between the predicted level.

00:19:53:28 - 00:20:03:19

The level predicted for NP one by the road noise model, the applicant road noise model, and the levels used for the BWS for one for two assessment.

00:20:05:07 - 00:20:24:13

This means the applicant has ended up claiming that the road noise. Uh, in the vicinity of Billington Road East is actually louder than the levels measured. Ascend P1 a few hundred meters away from the M60 nine.

00:20:30:14 - 00:20:34:00

For that. We should respond to that point at this point. At this point.

00:20:35:29 - 00:20:37:14

Sorry. Can you just repeat the question?

00:20:39:13 - 00:20:40:17

I didn't ask the question.

00:20:40:19 - 00:20:42:22

What the gentleman is saying is that.

00:20:45:10 - 00:20:46:02

So it's certain.

00:20:47:03 - 00:20:48:19

I can repeat everything I said.

00:20:49:04 - 00:21:20:01

I know it's the eight points that are made in terms of the overstatement of road noise. Um, used for an MP for. But so, for example, at point four, Mr. Moore is saying that the that what you are suggesting, in his view, is that it's now suggested that sound levels and certain answers to the north of the site, purely due to road noise, are comparably higher than weekday ambient sound levels used in the reports for NZ's measured NNP one, which is around 300m from the M 69.

00:21:20:03 - 00:21:21:00

Is that correct? Mr.

00:21:21:22 - 00:21:22:11

Yes.

00:21:24:13 - 00:22:01:13

Yes, I think I understand. Um, so having been to see the the noise levels on the site are dominated by road traffic and rail noise. Those are the two dominant sources of noise. Um, you've obviously got the M60 nine on one side. You've got the rail line in the middle, and then you've got, um, the A47 and Leicester Road to the north. It's therefore, on that basis, not surprising that the noise levels don't fluctuate significantly from one end of the site to the other because you've essentially got the same noise sources, you've got the same, you know, the trainline in the middle of your trains going up and down.

00:22:01:18 - 00:22:15:20

You've got a significant road source to the south and a significant road source to the north. So from, from our point of view, from visiting the site, you know, the noise levels don't fluctuate significantly. We cropped up by the same.

00:22:15:22 - 00:22:17:16

We're talking purely about road noise.

00:22:19:00 - 00:22:21:07

It's the same sort of sounds.

00:22:28:07 - 00:22:40:25

Thank you very much. And I think what will be appropriate for the applicant to address Mr. Moore's evidence at rep for 204, specifically those eight points in terms of the overstatement of road noise. Thank you.

00:22:43:06 - 00:22:54:26

I can just turn to Burbage Common Woods. Can I? Can the applicant just explain the absence of attenuation for this MSR? Is there a comparable noise environment to NP three three here? And if so, how?

00:22:57:22 - 00:23:23:28

So, at least for the applicant. Yeah. This is the same, um, the same process applies. Basically, the further you get away from the rail line, the more the road noise is going to dominate. Um, I think it comes down to the same point where the noise levels we have used are not representative of noise levels further back into it, into Burbage Common. And the analysis that we've done on NpF4 suggests that they are.

00:23:28:06 - 00:23:28:29

Yes, Mr. Moore.

00:23:29:20 - 00:23:33:27

Does the applicant know what the distance is between the rail line and SR 19?

00:23:38:15 - 00:23:41:00

Patience with the applicant? Yes, yes.

00:23:41:02 - 00:23:50:17

It's not very much, is it? No. And yet you're claiming that there's a difference in road noise between the rail line and SR 19. We're talking about 85m.

00:23:50:20 - 00:23:52:08

Burbage common isn't.

00:23:54:03 - 00:23:58:27

If we could avoid this threat through us, please allow the applicant to continue here.

00:24:00:05 - 00:24:14:10

Um, so Burbage common isn't a, um, single point receptor. It's not like a dwelling, um, where, you know, you've got the house, and the house is in that position. It's a much bigger area than that. And that's being considered within within the assessment.

00:24:16:09 - 00:24:17:03

Hey. Yes.

00:24:17:18 - 00:24:23:24

Yeah, this is total nonsense because they picked an NSR point and it's all based on that NSR point.

00:24:25:14 - 00:24:26:11

I'm still 19.



00:24:29:03 - 00:24:33:27

That's why they've attenuated the operational noise to. Since NSL 19.

00:24:35:04 - 00:24:40:18

I understand the points that have been made here. Does the applicant wish to respond to that now, or do you want to put some written submissions in this regard?

00:24:41:15 - 00:25:07:22

I'm happy to respond on this point. Um, so, um, there's a noise contour map, um, which was submitted with, um, chapter ten, um, Noise and vibration chapter, which shows, uh, the propagation of noise across a the site and be further afield, which includes, um, the whole of Burbage Common. That gives a very good indication as to what the, um, what the noise propagation is across the area.

00:25:16:05 - 00:25:18:01

Yes Mr. Morrison.

00:25:18:04 - 00:25:28:03

Yeah, that that response isn't a response. We're talking about an SR 19. It is a fixed point. It's the point which the applicant has attenuated operational noise to.

00:25:29:20 - 00:26:00:09

And they need to attenuate the measured sound of the train pass as measured by NpF4 to that location. Because at the moment you're getting the ambient noise levels as if that location is right at the railway track, but it isn't. It's 85m away and actually has quite a significant difference on the amount of rail noise that experienced at that point. You don't get the same rail noise as you do at the railway line where they've measured. There will not be any significant difference in road noise.

00:26:01:11 - 00:26:04:26

Moving about 85m, but there is a significant difference in rail noise.

00:26:07:14 - 00:26:35:05

I understand the two positions here, but if I could just move on to, um, what is being said at Burbage? Collingwood's at Noyes at night here. Is this the applicant? This is somewhat irrelevant, as this is open space and is therefore it's unlikely that somebody will be there at that particular point in time. It's not the case. Just as a bit of a side, has the applicant considered the effect of biodiversity at this particular time, given that there will be perceptible real noise? Back.

00:26:40:08 - 00:26:41:05

That of the.

00:26:41:07 - 00:26:48:05

Applicant. I think we'll have to take the biodiversity point away because our ecologist isn't here. So that one in writing. Thank you, thank you.

00:26:49:26 - 00:27:17:21

If I could just move on. Doctor Moore has produced a table in response to our written questions for noise levels at NZR and the absence of train movements. This is table one eight document rep 4195. So it is stated that this constitutes 96% of the total time. It is therefore stated that these are the noise levels presently ruling at the answers for 96% of the time, and it is against these levels that noise from the proposed development should be judged. Can I have the applicant's thoughts on that please?

00:27:19:07 - 00:27:48:19

LSI for the applicant. Um, yeah. It's again, go back to the to the point of how noise is measured. And it's measured as an equivalent noise level over, over a set period of time. Um, you know, if we were working on a basis that there were no train pass bys 96% of the time, that would have been picked up in the noise survey, and that would be reported in the levels as it is. It hasn't. Um, and it's to do with how, how how noise is measured and how it's reported.

00:27:50:17 - 00:27:51:02

Thank you.

00:27:51:12 - 00:27:53:25

Are there any comments from any parties on that particular matter?

00:27:55:06 - 00:28:18:04

Um, I think the point I was making that is if people are actually experiencing a given sound like for 96% of the time. Then that is against which they're going to actually judge additional noise, such as. The noise of your completed development.

00:28:21:18 - 00:28:27:23

Which will be continuous against that noise which is present. 96% of the time.

00:28:28:25 - 00:28:30:24

I understand. Does the applicant actually respond?

00:28:31:25 - 00:28:37:21

Solution for the applicant? Yeah, that's not how noises at us. It's just not in line.

00:28:37:24 - 00:28:40:17

Okay, I'll take the two positions then take it away. Thank you.

00:28:42:08 - 00:29:00:09

Just in light of this discussion then, and the evidence provided that D4 can the local councils confirm whether or not there are still agreements in terms of construction and operational phase, noise and vibration assessment, selection of sensitive receptors and operational noise and vibration assessment? Baseline noise and vibration survey methodology may be first.

00:29:03:19 - 00:29:33:02

The position of labour is, broadly speaking, so I understand those matters are agreed. Um, and Labour is satisfied on those matters. Um, in particular in terms of the impact on noise sensitive receptors. Um, the outstanding issue on noise from Labour's perspective is to do with the methodology, um, particularly around the calculation of, of traffic noise. There's a point that Neil Force that may like to come in on, but equally it may be something you'd rather hear.

00:29:33:12 - 00:29:38:05

Now, I think we'll come to that in due course. Thank you. May I ask the same if Hinckley and Bosworth?

00:29:41:03 - 00:29:43:15

Charles Robin Hinckley and Bosworth Borough Council.

00:29:43:17 - 00:29:44:13

Yeah, that's been a great.

00:29:46:16 - 00:29:47:01

Thank you.

00:29:50:09 - 00:29:51:05

Yes. Sorry. Yeah.

00:29:52:25 - 00:30:27:23

Uh, Mike Barrett for the applicant. Um, just to follow on from those comments. Um, since the last oral hearing, um, there's been a considerable amount of, um, discussion and liaison, um, with LaVey and Hinckley and Bosworth. Um, on the statement of common ground and matters not agreed. Um, and we feel we've made significant progress with them by providing them additional information that they required. Um, we've we've continued to have that engagement, and we continue to welcome that engagement.

00:30:28:04 - 00:30:50:14

Um, as a way forward, um, we're at a point, um, which you'll, you'll see in the next submission round the submissions that, um, there's just one matter as of. 4:00 today. That is not agreed, but with everything else agreed. Um, and we're very hopeful that we'll get, um, everything agreed in time.

00:30:52:15 - 00:30:53:00

Thank you.

00:30:55:20 - 00:31:19:26

If I could move to construction noise. So firstly, in terms of the construction area for average and worst case scenarios, it would appear that the worst case assumes that construction works could take place within five metres of the main DCO limits, and the average case assumes construction is taking place within the closest areas where works are required. Are there any comments from the parties in relation to how the construction area was defined and used for assessment?

00:31:25:23 - 00:31:27:18

Yeah, I think what I made. Sorry.

00:31:27:20 - 00:31:28:24

If you could just introduce yourself again.

00:31:30:02 - 00:32:15:01

Um, I think what I was saying in the, um, written representation and also in my, um, comments was the average case scenario that, um, the that try to discuss, uh, is very much lower. That is 32 DB lower than the, um, worst case. And that this is actually because what they are doing in their, um, average case is concentrating all of the plant and machinery at the center of, um, that what they turn their closest area of construction.

00:32:16:01 - 00:33:11:06

In doing so, this means that none of their plant and machinery is allowed to go closer to the site boundary than the center point of their closest of the, um, of their closest area of construction. Um. Try case didn't actually make it clear what area of construction they were talking about, but because of the reduction from 90 DB down to 58 DB, which they indicated, um, it was uh, looking at the attenuation that would occur, it was uh, decided I decided that 300m was the minimum distance that it will be allowed to, uh, any piece of plant or machinery will be allowed to be, uh, from the um, site boundary.

00:33:11:24 - 00:33:55:11

So giving this dramatic reduction of 90 DB down to 58 DB. This seemed unrealistic, and what I was asking for was really clarification about the method. Um, what, uh, try to seem to have done in their

response to yourselves is really not very much, except to say, provide really a vague diagram, which seems to suggest, yes, there is an area of construction, uh, sort of, uh, closest area of construction, but they don't give any dimensions to it.

00:33:55:28 - 00:33:57:11

This, um.

00:33:59:00 - 00:34:02:09

Method of representing, um.

00:34:04:04 - 00:34:14:29

I. Mobile group of. Pieces of plant and machinery at the center of a larger area.

00:34:16:15 - 00:34:42:09

Um, is one that does not receive universal merit. To say the least. Uh, there are other. Sorry, I don't have the notes with me now, but there are other methods, rather more representative methods and authoritative methods, uh, which say that this should not be done. Unless the, um, dimensions of that area.

00:34:44:06 - 00:35:06:22

Um are greatly excited by the distance away at which you make the measurement. And I think the for this approach that they have taken, it actually means that the, uh, point of measurement would have to be something like two kilometers away for this method to actually be a sound and reasonable one.

00:35:08:08 - 00:35:39:21

I'm sorry. I don't have all the information in front of me. I can't remember it, but this was basically the, uh, the, uh, import. Now, what critics have done is neither confirmed or denied that this is what they're doing. They've just said, oh, this authoritative method, the ISO method of measurement is not appropriate here. And explain why it's certainly, um, deeper and fuller than the, uh, the best method for construction sites.

00:35:41:04 - 00:36:03:14

And, um, as I say, it says you should not do this unless the, um, the point of measurement is kilometers away. So it's clearly not in this case. So really, um, the response that you got from Tritons didn't take this very far forward.

00:36:04:24 - 00:36:09:25

Thank you. Very briefly. Do you want to comment upon that? I know we have your response to this point in written form.

00:36:11:20 - 00:36:27:06

Uh, Mike Barrett, the applicant? Um, yes. Briefly. Um. Uh, we would like to, uh, understand the document that you're referring to. Um, just so that we can review it. It's not something that I'm. That I'm recognizing.

00:36:28:08 - 00:36:32:01

Or is that something that can be provided, which is the one in relation to the ISO?

00:36:33:13 - 00:36:40:25

Um, well, it's all written down in the written response and also in the, um.

00:36:42:17 - 00:36:43:02

Are.

00:36:45:01 - 00:36:45:16

Think.

00:36:48:01 - 00:36:52:04

On the comments, I think I noted it down in both of those documents.

00:36:52:11 - 00:36:57:03

On the back of that, you were able to clarify with regard to the methodology you've used in this regard.

00:36:58:12 - 00:37:16:03

Uh, Mike Barrett for the applicant. Um, I think that this is referring to the calculation methodology on which it's based. Um, and we we believe we've used the correct methodology, which is the British Standard 5 to 8. Yeah.

00:37:16:24 - 00:37:27:23

I appreciate your written response on this. Just just moving on then. Do the council still agree with the applicant then on the assessment criteria and assessment methodology for construction phase noise assessments to be first.

00:37:31:15 - 00:37:32:12

Yes, sir. That's agreed.

00:37:33:09 - 00:37:33:26

And Hinckley.

00:37:36:03 - 00:37:36:18

So great.

00:37:38:12 - 00:38:13:10

Thank you. We could just move to acoustic absorption then. So for receptors, the applicant's generalized noise model coefficient setting was set to 0.5 by 50% acoustically, acoustically absorptive to take into account the mixture of ground types between source and receiver i.e. some is soft, some is hard. However, they do something scenario. Ground absorption was set to zero across the proposed development to reflect the situation of the scheme comes forward and the soft ground is replaced by hard ground. For do minimum scenarios, a coefficient of one has been used if the ground remains predominantly soft.

00:38:13:12 - 00:38:15:00

So correct on this I believe.

00:38:17:08 - 00:38:21:04

Are there any comments from any of the parties on the noise model coefficients?

00:38:23:11 - 00:38:23:26

But the more.

00:38:25:04 - 00:39:03:27

Um, the cabinet had an acoustic software that critics have employed in the Noise and Vibration report evidently has the ability to model a wide variety of industrial, residential, recreational, agricultural and mixed environments. As such, it must surely allow individual areas of ground each to be allocated their own values for ground acoustic absorption. The joke was no joke was one or even somewhere in

between. Accurate and representative acoustic modeling in the critical area encompassing the outward facing units seven, eight, and nine.

00:39:04:04 - 00:39:35:23

The acoustic barriers, gantry cranes, reach stackers, and the rail and road vehicles. The interplay between them and how the resultant noise is projected forwards towards the source, must surely be a prime requirement of the noise and vibration study and the appropriate ground acoustic absorption, which. Almost certainly sequels not should be used in those areas. Assuming eyeballed average values as tracked.

00:39:35:25 - 00:39:37:06

Types of actually measuring.

00:39:38:28 - 00:39:41:07

Generally foster increased uncertainty.

00:39:44:21 - 00:39:45:06

Thank you.

00:39:45:12 - 00:39:46:29

I would like to respond to that.

00:39:48:06 - 00:40:35:01

Lucy on the applicant. Um, so the the industry standard approach, when you've got mixed ground, which we have in this situation is tuna absorption coefficient of 0.5, um, which is what we've used for the, the on site operational noise. Um, I think if we if we look at the site and we look north of the of the rail line, we have got um, we've very much got soft ground. And so we if we were to apply zero, uh, for example, a zero absorption coefficient to the area where there's gantry cranes and sidings and things, and it probably wouldn't make much difference to the actual outcome of the assessment because based on that, we'd then be putting a coefficient of one on the other side of the rail line to account for the soft ground.

00:40:35:27 - 00:40:48:06

Um, so I we take the point, but I don't think it would make any, any difference to the outcome of the assessment. And in this scenario, I think it demonstrates why 0.5 should be used.

00:40:51:03 - 00:40:53:29

Thank you. All, the council.

00:40:54:01 - 00:41:00:24

Is still in agreement with the applicant regarding the modeling points and source data for the operational phase noise assessments. Again, to be first please.

00:41:06:22 - 00:41:07:17

Yes, sir. That's agreed.

00:41:08:26 - 00:41:09:11

I think

00:41:11:00 - 00:41:12:18

that's great. Thank you.

00:41:14:14 - 00:41:17:10

If I can then move to noise sources from the proposed development.

00:41:17:12 - 00:41:18:29

So firstly.

00:41:19:04 - 00:41:25:21

Final details of fixed plant serving buildings is unknown. And 10.194 and.

00:41:25:23 - 00:41:28:01

10.205.

00:41:28:03 - 00:41:47:13

Of as chapter ten specifically deals with this, i.e. suitable noise control limits have been specified to which any plant, equipment and break up noise should conform to for the NSS. Is this approach and the noise level limits set to be designed to agreed by the local councils again to be first or.

00:41:49:05 - 00:41:50:02

Yes. That's agreed.

00:41:52:08 - 00:41:53:23

Yes. You agree? Thank you.

00:41:55:07 - 00:42:23:23

In terms of cumulative assessments for the proposed development, the applicant states that the site is of such a significant scale that for a given receptor at any given time, either operational noise will dominate over the construction noise or vice versa. Further, that it is impossible to reliably combine noise from operational and construction phase activity as they are of different nature. One is temporary while the other is permanent, and they have different physiological responses. Are there any comments on that particular assertion by the applicant?

00:42:27:11 - 00:42:29:17

So in terms of traffic levels then and the effect.

00:42:30:07 - 00:42:33:00

Oh, sorry. I'm sorry. I was just following it.

00:42:33:02 - 00:42:34:06

Really? Um.

00:42:37:09 - 00:43:21:00

Okay. I just wanted to say that. So I had Doctor David Moore, um, in its opening pages. Yes. 52281. Code of practice for Noise and Vibration Control on Construction and Open Sites statement states that it gives recommendations for basic methods of noise control relating to construction sites. So overall it provides aims to provide a simple and accessible guide to the noise levels that will prevail around construction and open sites, which are often small and fast changing so that the elaborate calculations are inappropriate.

00:43:22:00 - 00:44:00:01

For example, the guidance, the guidance that it provides for attenuation of sound as it propagates over distance is very basic and amounts to no more than a single chart, with two lines corresponding to the two extremes of hard ground and soft ground conditions, respectively, and it includes no guidance on the adjustment or rating of noise levels for for acoustic character. The proposed development is,

however, extremely extensive and the construction noise will extend for very many years, perhaps beyond the span of many local residents.

00:44:00:16 - 00:44:24:26

Notwithstanding all of the above. Critics response to the examining authority's question 1.8 4.53 to 1.8. ten displays an attitude of disengaged indifference based upon the argument that they cannot, and indeed are not, permitted to extend beyond the guidelines of 52281.

00:44:29:10 - 00:44:30:15

We have to respond.

00:44:33:08 - 00:45:03:11

Mike Barrett for the applicant. Um, I think the the original question was around cumulative impact. Yeah. Um, and that seems to relate specifically to construction impacts. But if I may. Um, the we've used the appropriate standard for that and the, the I take the point that the doctor Doctor Moore is mentioning, but it seems to be more um, the comment generally about that, about that standard they use in the UK rather than something specific to this project.

00:45:06:29 - 00:45:07:14

Thank you.

00:45:09:11 - 00:45:10:09

So in terms of the.

00:45:10:11 - 00:45:26:04

Traffic levels and the effects of this at NSR, I note that counsel had raised that one needs to consider the cumulative impact for both the future baseline with committed developments, the noted 4 to 6 DB increase, along with the impact of the proposed development, which has not been undertaken.

00:45:27:11 - 00:45:28:05

Is the council.

00:45:28:07 - 00:45:50:20

Content with the applicant's response to this in that assessments have been guided by d MRP, which states that validation of baseline can be undertaken by comparing modelled noise levels to measured noise levels, using corrections to take account of expected changes in traffic levels between the date of monitoring and the date of baseline. So in essence, assessments compare effects against a without developing future scenario.

00:45:52:27 - 00:45:57:21

You know, I asked Mr. Knight to comment on this. He's on behalf of m'lady. Counsel?

00:45:57:23 - 00:45:58:28

Yes. Of course. Yeah.

00:46:02:18 - 00:46:03:24

From mute, I'm afraid.

00:46:06:17 - 00:46:36:18

Sorry about that. Neil feels like, um. On behalf of Blaby. We contend that DMB is a correct guidance to use to classify significance of impact. Um, however, I'm a guidance does state that cumulative assessment needs to be considered, and that is to essentially remove the committed developments from the baseline scenario and apply them as part of the cumulative assessment.



00:46:36:26 - 00:46:54:12

And that way, we can get a better understanding of what the overall noise impacts will be at receptors adjacent to the road. Um, for this reason we have requested a sensitivity test be undertaken to that effect, um, which has not yet been provided.

00:46:56:14 - 00:47:02:11

Thank you for the opportunity to respond on that may provide us an update with regard to that sensitivity assessment.

00:47:04:12 - 00:47:30:00

Uh, Mike Barrett for the applicants. Um, we take that comment on board. Um, in honesty, we'd like some time just to work through that issue with Lady and Hinckley and Bosworth. Um, we, um, we understand the the sentiment of the Iemma guidelines in that regard. Um, the. The specific.

00:47:30:02 - 00:47:30:26

Issue.

00:47:31:20 - 00:47:47:18

We understand is around the nuance, um, of committed development traffic and the inclusion of that. Um, but, um. As I say, we we would like to to be able to continue to work through that.

00:47:48:13 - 00:47:50:27

Ideally, can that be achieved before deadline five?

00:47:53:24 - 00:47:54:15

And Stacey.

00:47:55:16 - 00:47:57:09

We can certainly have conversations.

00:47:57:11 - 00:47:58:28

Um. Um, much before that.

00:47:59:00 - 00:48:09:06

So, um, whether we'll have it concluded to the point that if we decide that a sensitivity test is still required in that sensitivity, this will be able to be carried out, I don't I can't answer that one. So. Okay.

00:48:09:20 - 00:48:10:09

Yes.

00:48:11:24 - 00:48:27:01

Um, Mike Barrett for the applicant. Just a further point on that is that, um, our position at the moment is that it wouldn't make any difference to the, to the conclusions of the report and, and the final assessment. Um, just want to make sure that we're clear on that.

00:48:28:21 - 00:48:29:06

Thank you.

00:48:34:17 - 00:49:10:15

So in terms of ambient noise levels at NSR caused by cumulative accumulated sorry additional noise sources, it would appear that only two additional noise sources being completed development noise

and drain noise have been factored into models. It has been suggested by interested parties that the applicant should accumulate together all of the additional noise sources, these being the completed development noise, the off site train noise and off site road noise and gantry crane noise and construction noise, etc. etc. before making a comparison with the baseline conditions and then going on to establish racing penalties for the accumulated additional noise sources can help the applicant's thoughts on that.

00:49:12:21 - 00:49:43:24

Pennsylvania. And so the accumulative assessment has been done within the The Noise and Vibration chapter. Um, just to be clear, it doesn't include, um, off site rail noise. Um, on the basis that Network Rail control, um, those, those offsite trains, um, and they could run regardless of whether, uh, the RFI comes forward or not. So they're not strictly speaking, they're they're not a consideration of this, uh, of the noise assessment. Um, but going back to the the other sources.

00:49:43:26 - 00:49:54:14

So, um, the A47 link road, um, the onsite operational noise, including the gantry cranes that has been done. Um, and that is detailed within the noise and vibration chapter.

00:49:57:21 - 00:49:59:18

Are there any comments? Yes, Mr. Moore.

00:50:01:07 - 00:50:23:12

If the applicant is going to claim that the amount of freight train movements doesn't really have anything to do with the applicant, then can there really be any claim that the NFI. Also coming into being will actually increase the amount of freight train movements will increase the amount of um goods put on freight trains.

00:50:25:28 - 00:50:26:24

Like the response that.

00:50:30:02 - 00:50:30:17

David.

00:50:30:19 - 00:51:06:00

David Bacon for the applicant. Um, the position as far as work around the railway is concerned is that its statutory position is that it is entitled to increase the use of trains. And and it is also protected in terms of nuisance for running extra trains on this particular line, which is a strategic freight line and is cross key cross country route. They will run trains on this line anyway. The addition of our traffic is just using some of those paths, so it isn't actually the baseline is is a Network Rail's entitlement to run trains.

00:51:09:22 - 00:51:10:27

Thank you. Yes. Mr. Moore?

00:51:11:07 - 00:51:44:16

Yeah. I agree that they're entitled to run the trains, but this, uh, this site is going to have 32 freight train movements. In total. Um, yeah. Per day. And they're going to be going past Burbage Common. And I think it's highly unlikely that there would be 32 additional freight train movements going past this column, potentially in a day without this side being. It's a consequence of the salt. I know, I know, the Network Rail have the right to run trains and all the rest of it, but they're going to be running because of this site.

00:51:44:18 - 00:51:54:09

And if this site is not coming into into being, there will not be very, extremely unlikely there'll be 32 additional freight train movements in the next five years or however long it takes.

00:51:55:06 - 00:51:56:22

So it has been factored in to the applicant.

00:51:58:09 - 00:51:58:24

Yes.

00:51:59:17 - 00:52:31:08

The issue is that it is a strategic freight route and therefore they could. But if the sensitivity is to Burbage Common, then, as we have explained throughout, in terms of the capacity study, the expectation is that 20 of those routes will have paths will be used to the east going towards Felixstowe, London Gateway in the eastern ports, whereas up to about six will go through to the west through to Burbage Commons. So the number of trains actually passing Burbage Common will be very much less from from our scheme in any event.

00:52:34:09 - 00:52:35:06

Yes, Mr. Moore.

00:52:35:10 - 00:52:40:15

Is that guaranteed to occur every day? Or could there be some days when they all go past Burbage Common?

00:52:41:24 - 00:52:44:12

It's all going past Burbage common. They're not stopping at Hinckley.

00:52:47:17 - 00:52:48:20

But thank you.

00:52:53:14 - 00:52:56:11

Mr. Wilkes. Wilkes? Yeah. See your hand up.

00:52:57:09 - 00:52:58:17

Could you introduce yourself, please?

00:52:59:02 - 00:53:37:15

Good afternoon, Mr. Weeks. Uh, Jonathan weeks. Uh, h Sam Rafferty, on behalf of the Stanton Parish Council. Um, it was just a very minor point piggybacking off of what's just been, uh, discussed in the sense that obviously, yes, there is a right for Network Rail to be able to put trains along this ro um, railway line. Even so, not road, but I think there is a need to draw the distinction between a train which is passing through and a train which is stopping the the noise which is going to be generated is going to be different from a train which stops and starts, um, to one which is passing straight through and exactly the same way as a car on a road, when it stops and starts at junctions, generates more noise.

00:53:37:25 - 00:53:52:24

It needs to be factored in in that way. And the comment of it doesn't matter, because the trains will go along the line anyway. The generation of the noise, the way in which it's generated, uh, and the spikes which you will get are different. And it can't simply be ignored in my mind.

00:53:54:15 - 00:54:00:00

Thank you. Just just very briefly, I note the responses in written form, but you just want to clarify the position in this point. The applicant.

00:54:02:20 - 00:54:19:29

But yeah. Lucien, the applicant. Um, so in terms of noise, a train traveling at a slower speed will result in a lower noise level than a train traveling at higher speed. So although trains will take longer to pass when traveling at a lower speed, the overall noise level experienced will be lower. Um.

00:54:26:21 - 00:54:43:03

Yeah. So sorry. The trains that that do pull into the sidings that are associated with air and sea. They have been modeled. So the, the noise of the, the engine and the engine and the load moving through the site is, is included within the model and has been assessed within the assessment.

00:54:44:06 - 00:54:45:07

Thank you. I take the points.

00:54:48:10 - 00:55:17:25

Turning specifically to country cranes. The issue is that a ten DB reduction has been afforded to these through the provision of mitigation, in the form of suitable equipment selection and exhaust silencers. Given the gantry crane noise data presented in the Northampton Gateway Rail Freight interchange, which did appear to show or did show a sound power level for gantry cranes of around ten DB lower than the assumed then that assumed in the applicant's assessment. Are the Council satisfied that there is now robust evidence for this reduction, specifically in relation to the gantry cranes

00:55:19:15 - 00:55:22:15

at State District Council? Yes. As of the last.

00:55:22:20 - 00:55:23:10

2440.

00:55:23:12 - 00:55:24:02

Eight hours, that.

00:55:24:04 - 00:55:26:20

Additional information is being provided and I'm sure.

00:55:27:21 - 00:55:28:06

That.

00:55:28:08 - 00:55:28:23

In the next.

00:55:28:25 - 00:55:29:10

Deadline.

00:55:29:12 - 00:55:31:17

I also note that Mr. Stokes got his.

00:55:31:19 - 00:55:32:04

Hand up as well.

00:55:32:06 - 00:55:33:12

Yes, Mr. Forsyth.

00:55:35:05 - 00:56:08:05

Well, then they were forced, like on behalf of Blaby. Um, as Ed just stated, we have received information this morning. Um, the information does appear to show attenuation values consistent with that, um, used by the applicant. Um, however, I would just point out that we did also request, um, mitigation measures in terms of maximum impacts associated with docking and the soft dock technology. Um, this information at the moment is is yet to be received. So, you know, we we still request that information as well.

00:56:09:24 - 00:56:12:12

To the applicant. Is that information en route?

00:56:15:02 - 00:56:19:22

And further information can be provided on that. Um, at line five.

00:56:22:00 - 00:56:22:15

Thank you.

00:56:31:17 - 00:56:49:25

So it would appear that the applicant with Mitigation maximum noise level assessment does not include a ten DB reduction as a result of plant selection. It appears that the With mitigation assessment has only considered the benefit provided by the acoustic barriers. On this basis, is Blaby Council satisfied in relation to the ten DB reduction and assessment?

00:56:53:03 - 00:56:57:03

It's dicey for labor districts. I'll just let them answer that question.

00:56:57:05 - 00:56:57:21

If that's all right.

00:57:00:10 - 00:57:23:17

But it feels like on behalf of Baby and sorry, that's a bit of a cross over to the to the point I just made. Yeah, we're happy that the in terms of the ambient levels and the mitigation on that side of things, we're happy that that ten DB was included. Um, within part of the assessment though, we do still request a clarity on the the maximum mitigation scenario.

00:57:25:04 - 00:57:25:19

Thank you.

00:57:27:22 - 00:57:35:22

So just briefly mentioned the intended use of soft dock technology. Can the applicant just clarify how this will be secured?

00:58:16:21 - 00:58:17:06

But.

00:58:20:06 - 00:58:21:24

Thank you, sir. We'll take we'll take that.

00:58:21:26 - 00:58:22:15

Away and clarify.

00:58:23:22 - 00:58:24:09

Thank you.

00:58:27:00 - 00:58:55:24

Just turning to acoustic barriers. It is noted that these are to be deployed to mitigate noise to NSR at various locations, and we can see these document Ref app 279. So one of these, a six meter tall barrier, would be within close proximity of residential units at the traveller site close to junction two of the M60 nine. And I just asked the applicant if it's assess the possible impacts on living conditions on such residential units from this barrier and if so, what this might be.

00:58:57:08 - 00:58:58:05

Peter Frampton.

00:58:58:15 - 00:58:59:22

From Frampton Town Planning.

00:58:59:24 - 00:59:01:26

Representing the applicant.

00:59:02:09 - 00:59:08:16

This is a question, so we will fully respond to it. Uh, we have taken.

00:59:08:18 - 00:59:10:02

Into account.

00:59:10:04 - 00:59:12:16

The the visual impact of.

00:59:12:18 - 00:59:14:01

The noise.

00:59:14:03 - 00:59:22:10

Acoustic barrier close to the boundary of the Aston Firs Gypsy and Traveller site. There is substantial.

00:59:22:12 - 00:59:23:08

Landscaping.

00:59:23:10 - 00:59:38:00

On that boundary, including hedgerow, up to five metres high and other forms of landscaping. And it's that landscaping that we submit mitigates the visual presence sufficiently of the noise acoustic barrier.

00:59:39:20 - 00:59:40:05

Thank you.

00:59:41:04 - 00:59:47:21

Have any alternative locations being considered for this, or could there be a design solution to allow for its repositioning?

00:59:49:10 - 00:59:50:05

We have looked.

00:59:50:07 - 01:00:11:17

At alternative positions, but we do have to get the, um, the access road and the footpath in, uh, the noise acoustic barrier, uh, the supports for that and then the landscaping. So there is a drawing that's been submitted, the deadline for to show it. That is the the optimum position for that noise barrier.

01:00:14:05 - 01:00:15:03

Yeah. Thank you.

01:00:15:11 - 01:00:19:02

Yes, lady. Councilman. Thank you. Mr.. Stacey.

01:00:19:10 - 01:00:20:06

District council.

01:00:20:12 - 01:00:20:27

Um.

01:00:21:06 - 01:00:21:25

I would.

01:00:21:27 - 01:00:22:24

Recommend the actually.

01:00:22:26 - 01:00:26:24

Have a look at that drawing and in particular compare that drawing to.

01:00:27:05 - 01:00:27:20

Um.

01:00:27:28 - 01:00:31:13

Even something as basic, a sort of Google satellite for you to look at the.

01:00:32:01 - 01:00:33:26

Variance, potentially in depths.

01:00:33:28 - 01:00:34:15

Of hedges.

01:00:34:17 - 01:00:35:10

Between what's.

01:00:35:12 - 01:00:36:00

On that plan.

01:00:36:02 - 01:00:37:07

And what's potentially.

01:00:37:11 - 01:01:01:08

We did go and have a look at it. The access required site inspection. So we are aware of what what we saw on the day we we saw it back in. And then I think it was I believe there's also an agricultural plan that specifically details the width of that hedge. And it does seem to be some

difference between the widths of the hedges and the locations of trees, and the indicative location of retaining vegetation as part of that cross-sectional drawing.

01:01:02:03 - 01:01:02:24

Thank you.

01:01:06:21 - 01:01:24:25

In terms of wheel squeal. Um, I know that this is mainly at tight radius curves, so I appreciate that the applicant has reduced the curve of the proposed track as much as possible, but is it possible for it to provide evidence of the likely noise levels from any wheel squeal at the proposed curved elements, based on evidence for noise generation at certain track radii?

01:01:27:13 - 01:02:03:27

Uh, Lucille the applicant. Um, yeah, we've we've looked at this quite recently. There's, um, there is a study that was done, um, I think at the start of the project, um, where measurements would be taken on a, on a rail curve that was similar. Um, so we've got noise levels for that. Um. Cut. Long story short, basically the the the six metre barrier that we've got along that rail curve provides around 20 DB of reduction. Um, and when we distance that back to the receptors, um, we're looking at noise levels, um, around 35 DB.

01:02:03:29 - 01:02:05:18

So they're not significant.

01:02:10:29 - 01:02:11:15

Thank you.

01:02:13:06 - 01:02:49:24

If I can move to baseline and Off-Site train movements. So we've touched upon this a little bit, but it's been raised by interested parties that noise reports are based on an overestimation of the number of trains that run, reducing the percentage impact of new trains as a result of host development. So, for example, we have evidence from Doctor More. Let's rep for 195 that appears to show that NSR can enjoy undisturbed, undisturbed Saturday nights. Um, is there a limited, if any, train movements and this is more representative of the existing situation rather than being atypical? So I appreciate that you've mentioned the strategic noise mapping for the railway has been referenced.

01:02:50:24 - 01:03:19:05

And this is annualised data that allows for a long term average to be considered for strategic planning purposes. And further, that the applicant has stated that there would need to be a significant reduction in the number of trains for this to have an appreciable effect on the existing ambient noise levels in proximity to the railway. Just. The completeness, can the applicant expand upon these points in light of the evidence, provided that considerably fewer trains currently run in those timetables, and also in light of the differences between freight and passenger train noise.

01:03:22:05 - 01:03:57:05

Uh, Louisiana for the applicant. Um, so, yeah, I think we've previously stated that, um, they'd have to be a significant reduction in the, in the baseline number of trades to, to for it to make an appreciable difference. Uh, sorry, appreciable difference on the noise level. Um, the, the baseline train numbers that we have used, um, have been confirmed by, by Network Rail as being representative. Um, so, so we're quite confident that the noise levels that we reported are, are representative and are accurate.

01:03:57:17 - 01:04:30:22

Um, in terms of the, the Saturday nights and the trains not running. Um, the noise data that we've got that we've been out and measured shows that trains run six nights a week. Um, so they run uh, Sunday



through to, to Friday. Um, and then you've got the one night where they, where they don't run at the moment. Um, what I would say is, if you've got six days out of seven where you've got trains running through the night, then that is a typical situation. And the one night that they're not running, that's that's atypical.

01:04:31:06 - 01:04:51:18

Um, I think going back to some noise, um, a noise survey that was done, um, a few years ago before, before we did ours. Um, and exactly the same positions actually showed noise levels on the Saturday night. That was similar to noise levels for the rest of the week. So I think even though they're they're not maybe running at the moment, there's potential for trains to run on that Saturday night period.

01:04:55:22 - 01:04:57:01

Yes, Mr. Moore.

01:04:57:28 - 01:05:37:17

There were about three separate issues mixed up in that question, and the applicants understandably responded to all of them. But they are separate issues. There's the, um, demonstrable overstatement of the number of freight train pass bys, which has resulted because the applicant has included every single freight train listing. I'm real time trains and they've ignored that. Only some of those freight trains run on any given day. Not all of the listings run on on every day. Um, and this means that the applicant has overstated the number of freight train pass bys during a weekday in the order of about 40 freight trains per day of overstatement.

01:05:38:09 - 01:06:10:16

Uh, that's one issue which has been explained to the applicant multiple times. The Saturday night time issue is rather different. The applicant expunged the measured, um, Saturday night time data. From the assessment. Um, and the measured ambient. Um, on that Saturday night was 44 DB. The applicant locked it out and didn't use it for the RBS 4142 assessment and instead use the Sunday night data, which was 50.1 DB.

01:06:11:24 - 01:06:47:29

The justification that the applicant gave for expunging the Saturday night time data was that they said that back in the peer consultation, the Saturday night measurements had ambient sound levels, which were similar to the rest of the week. Um, in response to this, I've sent the applicant consecutive Saturdays and I have been collecting ever since. So I've got, you know, quite a few, um, which show that the maximum number of trains running on a Saturday night is one passenger train, which may or may not pass by in the first few minutes of the reporting period.

01:06:48:09 - 01:07:18:21

And because the applicant says that they didn't get that one passenger train pass by, they've expunged half of the weekend's nighttime data and increased the ambient sound level used for the 4142 assessment by six DB, because they've swapped in the Sunday night times, which have higher freight train pass bars. And as we know, the the, um, train pass bys haven't been attenuated to the NSL location. So you get much higher ambient noise levels.

01:07:19:01 - 01:07:50:16

Um, the Saturday night data should not have been expunged. The maximum is one passenger train pass by and one starts at attenuated to the NSR. It's irrelevant. Um, this has been explained to the applicant. Evidence has been provided. There's really no counter argument other than the applicant. Harking back to the prior consultation and ignoring all the consecutive Saturdays evidence have been shown to them, but I can't force them to put it back in the report. So the report means with the Sunday levels, um, it is what it is.

01:07:50:18 - 01:07:53:19

It's just one of the report's deficiencies, which I can't force them to correct.

01:07:56:27 - 01:07:57:12

Thank you.

01:07:57:17 - 01:08:01:08

Um, given our discussions, do you wish to add anything to this particular point?

01:08:02:05 - 01:08:05:26

Uh, Lucia? No. My. My previous answer stands.

01:08:08:03 - 01:08:08:18

Thank you.

01:08:09:27 - 01:08:21:13

So in terms of off site movements, is the assessment of offsite rail movements still a matter agreed by the councils, and are the modelling inputs and source data for offsite rail movements also agreed to believe it best?

01:08:26:24 - 01:08:33:12

At stake for the district council are almost certain. Let me just ask Neil to just double check the actual specifics of that.

01:08:39:05 - 01:08:43:09

But maybe for staff on behalf of baby. Yes. As it stands, it is.

01:08:43:27 - 01:08:45:06

Thank you. And to Hinckley.

01:08:48:26 - 01:09:08:26

Thank you. Moving to uncertainty. In terms of uncertainty, the applicant states that this is low given the length of measurement period and intervals, and the removal of adverse weather conditions. Noise levels have been calculated using downwind sound progression, for example. Are there any comments in terms of the degree of uncertainty from any party?

01:09:11:20 - 01:09:12:18

Please introduce yourselves.

01:09:13:04 - 01:09:13:19

Yeah.

01:09:14:03 - 01:09:44:07

Uh, I think, um, maybe not today. I'm sorry. I wanted to do this. Um, I think that they've answered the question in different ways. Um, at the first level, they've actually talked about the uncertainty in the measurement of the sound at Nmmps, which I don't think was quite what you mentioned. I meant to ask about it was rather the uncertainty of the whole, um. Examination.

01:09:44:21 - 01:10:06:27

I would agree that the measurement at the NPS have been assiduous. It would have been even better if they'd actually indicated the distance at which they'd made the measurements away from the rail track and the road, which is a. Probably the cardinal requirement.

01:10:09:04 - 01:10:36:12

And despite my thinking this out at the level of the consultation response, the written representation and also the comments, it remains an open question. So these values NpF4 etc. there is a question mark over them, although there is strong evidence that the distance in which an MP four was made was actually 12m.

01:10:39:03 - 01:11:10:08

And so that's one level of uncertainty. Um, I think the other thing is really regarding the calculation, which I think is rather more, um, the sort of thing you're actually looking for. Um, well, they're using a, um. Software. And I quote from the cabinet a website in slightly Germanic English. Calculation of uncertainty.

01:11:10:10 - 01:11:52:23

Cabinet A has a large selection of evaluation parameters. Among these, the calculation of the standard deviation is required by many guidelines. Cabinet. A includes a statistical analysis tool used to check the effect of any configuration set in. The user may alter in the calculator results as required by quality assurance standards such as ISO 17534. I was intrigued to know whether, um, triceps had used any of this, uh, facility because, uh, clearly a knowledge of the standard deviation of your measurements is would be very, very useful.

01:11:54:21 - 01:11:55:06

Um.

01:11:56:19 - 01:12:09:03

I think the other thing is that tri checks, um, mention that, or try to assert that there's, uh, a low level of uncertainty in this project. Um.

01:12:10:21 - 01:12:40:25

He asked for one. For two. Devotes a whole chapter, um, to the subject of certainty, emphasizing how important it is, especially in the larger and more complex developments, and in particular in those instances where the findings might be considered marginal. It. Triceps is not included. Any consideration of uncertainty, even though the NFI clearly falls into very many of those categories that fall on 42 lists.

01:12:43:13 - 01:12:58:16

You could go on to compare that with, uh, track, uh, fixation in just two sentences for one. For two. When they settle on this to move from background noise to ambient noise.

01:13:00:14 - 01:13:39:24

Um, but in response to, um, the tribes assertion that the level of uncertainty is low. I would argue that is in fact very high. Sources of certainty include the convoluted process concerning the baseline conditions and the evaluation thereof. The many assumptions made regarding the construction and operational activities, in that the condition of the definition of moment, the number and complexity of the acoustic models, the practice of considering each additional noise in isolation.

01:13:41:16 - 01:14:07:22

And then dismissing. But many of them as insignificant. The close parity between transactions, completed development noise and the baseline condition triceps have adopted. It's a marginal condition in many cases. That's not a baseline or indeed an ambient. Uh.

01:14:09:21 - 01:14:49:29

Wildly different from the actual. Additional noise source. And also the marginally acceptable noise levels reported at facades, operational maximum noise levels at all locations, and the closeness to W.H.O. noise levels for outdoor areas. So overall, we've got a very tall stack of processes. And in addition to this, there's probably by no last but no means least trite insistence that despite all of this, the level of uncertainty remains low.

01:14:51:14 - 01:15:22:11

I think that is a concern. I think overarching uncertainty is about more than just numbers. Triceps. I think throughout this year left no doubt that the sole aim is to get the proposal post development belt, and have followed a more yielding path to that goal. Uncertainty is really about establishing with some level of confidence, what acoustic environment the residents might be left with if this proposal is approved.

01:15:24:29 - 01:15:25:18

Thank you.

01:15:25:24 - 01:15:31:10

I appreciate those. There's a bit to cover there, but do you wish to address any elements now in terms of uncertainty?

01:15:33:03 - 01:15:49:05

Mike Barrett for the applicant. Yes. Um, there's, there's a number of points there, so I'll try and power through them. Um, the first point I think, was around the, um. The modeling uncertainty and and assess.

01:15:49:07 - 01:15:54:09

What was the distance of the, uh, noise monitoring positions. Was it 12m? Is that correct?

01:15:56:07 - 01:15:58:00

Sorry. Could you repeat with.

01:15:58:02 - 01:16:02:29

The first issue with regard to the distance of the noise monitoring positions that was over your initial concern? Optimal.

01:16:05:07 - 01:16:08:21

We should clarify the position of the noise monitoring positions, the distance from the track.

01:16:10:12 - 01:16:48:05

Yes, we can do. I mean, we can we can provide. Provide. Detail a deadline five, and we'll look and see if there's anything further that we can be helpful. Um, in, in terms of, um, deviations, uncertainty. There's not there's no hard and fast, um, rule on that in the UK as to where the line draws. Um, the, um, the latest version of British Standard Form 42 um, which superseded the 97 version, included a section specifically on on uncertainty which Doctor Moore was referring to.

01:16:48:23 - 01:17:23:13

Um, the the the the gentleman who, um, chaired the, the committee and who wrote the British Standard. Um, he was very clear that that that was um, to be taken in the spirit of trying to minimise uncertainty. Um, and making sure that you do everything you can within the process of going through, uh, the assessment that, that you are doing, you're considering it at every step. Um, again, you know, not necessarily that you put a single number on that or say that it's acceptable or not acceptable.

01:17:23:24 - 01:18:00:25

Um, our statement around low uncertainty is based on, um, the measures that we have felt have been appropriate to minimise that uncertainty. Um, but one last point, I suppose, onto uncertainty and specifically on the baseline monitoring, what we've tried to do is to, um, to reduce uncertainty in our assessment work is not just look at. A4142 assessment, not just look at a change in those, but also look at the absolute noise levels in the future and the absolute noise levels in the future have absolutely nothing to do with what the baseline noise data says.

01:18:00:27 - 01:18:16:13

So, um, it's an extra layer of certainty being provided into the assessment. We're not saying that there is no uncertainty in the assessment. What we're saying is, in the grand scheme of things, the assessment, uh, uncertainty is low in our opinion.

01:18:21:26 - 01:18:22:11

Thank you.

01:18:23:24 - 01:18:24:14

Just moving.

01:18:24:16 - 01:18:25:27

To rating.

01:18:25:29 - 01:18:52:26

Penalties in the broad sense, doctor more kindly provided tabular breakdowns for the proposed development operational scenarios, including including various tonal and impulse rating penalties and the associated consequences for sectors as well. I'm sorry, Mr. Ball. My apologies. Uh, that's document rep for 205 from Mr. Moore. Rather than consider this here. Uh, please may the applicant directly address this in written form in due course, unless it wishes to assess this right now.

01:18:57:15 - 01:19:15:06

Uh, Lucy, um. The applicant. I can do it. I can do it now. I am in receipt of, um, Mr. Moore's, um. Uh rating levels, um, that have been applied, uh, mainly to receptors that are north of the railway. Um and I.

01:19:34:27 - 01:19:36:12

So? So. Yeah.

01:19:44:02 - 01:19:48:28

Something's going on. It's all going to do well on a acoustically.

01:19:55:00 - 01:20:38:06

Um, yeah. So, uh, Mr. Moore basically applied a plus nine, uh, DB correction to the, uh, specific noise levels to account for impulsivity. Um, we would, um, strongly disagree with the way that this has been done, um, particularly in the fact that it's been that a nine DB, um, penalty is being applied across all sectors. Um, without taking any account of any factors such as distance, um, screening and the existing noise climate. Um, so just to provide an example for SR one, um, the dwelling that's associated with SR one, which is actually a farm, um, is located on the screen side of all the barn, all the existing barn buildings.

01:20:38:13 - 01:21:18:24

Um, which is is going to provide a barrier to, to noise from the, um, from the site and therefore in reality, um, a nine db penalty, which is basically accounts for impulsivity, which is highly perceptible, is just not going to be the case that that receptor, um, that receptors also located, um, approximately 260m, I think, from the, from the red line. Um, and therefore, given how quickly a point source

attenuates with distance, it's you're not going to you're not going to experience, um, a, you know, going to perceive impulsivity.

01:21:19:00 - 01:21:43:28

Um, that highly um, similarly, if we take SR two again, that's located approximately 460m away from the development. Um, so again, the impulsive noise isn't going to be highly perceptible at that receptor. Um, so the way that these, that these penalties have been applied is just it's incorrect. And, and it doesn't take into account the context of the receptor within the environment.

01:21:49:14 - 01:21:50:25

Thank you. Yes, Mr. Moore?

01:21:53:00 - 01:22:39:15

I think what I've done very clearly. Um, I've used the method which was disclosed and used in the West Midlands Rail Freight Interchange Noise report, which involves taking the current ambient sound level and comparing against it the predicted LAF max levels due to impulsive noise. And to do this, I've taken the ambient sound levels from the applicant report and the LAF max levels due to impulsive noise from the applicants report, and I've applied the method. Um, those are the results of purely user numbers in the report and the method which was used in the case of West Midlands Freight Interchange, um, try to access have not disclosed the method at all, other than saying it's the subjective method which doesn't tell you anything.

01:22:39:22 - 01:23:16:09

It could be that I simply have to guess now. I presume they haven't. I presume there is a method, but despite repeated prodding, they haven't disclosed what it is. Um, and they also haven't responded in a factual way to the methods that I've used from West Midlands Rail Freight Interchange. They haven't said you're applying this method incorrectly or you're using the wrong numbers. That's just the sort of blanket dismissal. If they think that I haven't applied the method correctly, or I think the method is completely crazy, then they can say so. But it's the method used in that noise report which has already gone through this process versus their non-existent method.

01:23:19:01 - 01:23:20:02

That the Knights respond.

01:23:20:18 - 01:23:57:14

Uh, yeah. Lucy. Elmer for, um, for the applicant. It is a it is a subjective. Um, it is a subjective method. Has fallen for two acknowledges that, um, a lot of it is based on, um, on professional judgment. Um, what I would say is that the the penalty, the, um, the penalties that have been applied are, are agreed through the statement of Common Grounds. Um, we've, we've also done, um, a sensitivity test on it. Um, the actually what I would say is I think these impulsive um, levels that have been applied are also pre mitigation.

01:23:57:16 - 01:23:59:26

So they don't take any mitigation into account.

01:24:08:24 - 01:24:09:29

Thank you. Yes, Mr. Moore?

01:24:10:16 - 01:24:17:03

Yeah that's wrong. I've done both pre mitigation and post mitigation scenarios and I've used the numbers in the applicant's report.

01:24:19:18 - 01:24:20:21

They are your numbers.

01:24:22:20 - 01:24:24:24

They're not all penalty rating levels.

01:24:25:14 - 01:24:26:22

No, I understand that.

01:24:26:27 - 01:24:28:14

If you could go through us. Thank you very.

01:24:28:16 - 01:24:29:01

Much.

01:24:30:04 - 01:25:05:05

I understand that then not your rating policy levels, but they are the rating penalties level levels which I have obtained from applying the method used in West Midlands rough road interchange. You still haven't even disclosed the method. The West Midlands rough I didn't change method is listed very clearly. I think it's easy to understand. It's possible I've misunderstood it and misapplied it. If the applicant thinks I have, they can say so, but that's what I've done. It's clear if they want to get it on a factual basis by saying you've applied the method incorrectly or the method is crazy, that's fine.

01:25:05:07 - 01:25:15:04

I won't object to that, but there is no counter-argument. There's just the the rates and penalties have been agreed through the statement of common ground, which is an argument from authority. There's nothing there.

01:25:16:12 - 01:25:17:06

I appreciate that.

01:25:17:08 - 01:25:25:19

On the on that basis, is the applicant happy to provide a written response in this regard, touching upon previous methodologies in previous strategic interchanges?

01:25:26:09 - 01:25:28:16

Uh, Lucille, for the applicant. Yes, we can do that.

01:25:29:06 - 01:25:29:21

Thank you.

01:25:31:11 - 01:25:31:26

All that.

01:25:32:22 - 01:25:39:12

Any other comments from any party? Gentleman at the back. But this is specifically in relation to rating and penalties.

01:25:48:00 - 01:25:48:29

We've come to that.

01:25:49:07 - 01:25:50:29

Broadly to the end of the line of questioning. So. Yes.

01:25:51:12 - 01:26:23:20

Yeah. David Harrold Stoney Stanton Action Group really it's to do with the statement of Common Grounds, which we just mentioned earlier on during construction, noise, acoustic absorption noises, sources from the proposed development. Um, doc, Doctor Moore and Mr. Moore suggested that there was a more appropriate standard, which was an ISO standard that should be used, whereas they also suggested that the British standard that is being used is not appropriate. And it almost implies that in the standard itself, because it seems to suggest that it's for smaller development.

01:26:23:22 - 01:26:31:18

So why? Why isn't the ISO standard being considered at all? You know, that's got to understand that.

01:26:32:01 - 01:26:32:24

I appreciate thank.

01:26:32:26 - 01:26:38:02

You. I understand the point. Does the applicant wish to address that specifically? Building upon previous responses.

01:26:41:11 - 01:27:01:22

Uh, Mike Barrett for the applicant. Um, I don't think we've got anything further to add beyond what we said earlier in that we've used the appropriate, um, standard and methodology that, um, we use in the UK for that. And that goes for small projects. It goes for nationally significant infrastructure projects. A it's a coverall.

01:27:03:22 - 01:27:04:07

Thank you.

01:27:05:03 - 01:27:12:01

Are there any comments from any other party in relation to noise that we have not considered, or that cannot be provided to us in detailed written submissions?

01:27:13:25 - 01:27:14:10

Gentle.

01:27:18:23 - 01:27:20:17

Malcolm Leys. Um.

01:27:21:21 - 01:27:22:13

Uh.

01:27:22:23 - 01:27:59:15

Personal view. Um, I made representation earlier in the in the consultation that East Midlands gateway. Their noise calculations included calculation for wind effect. And considering that this, um, proposal has all the noisy elements on the outside of the buildings, not on the inside. I would suggest that the wind effects would have a considerable effect on residents close to the proposal.

01:28:00:22 - 01:28:06:24

Thank you. We've got some questions with regard to the design of the buildings. Um, however, would the applicant like to address that?

01:28:08:21 - 01:28:32:28



Illusion. For the applicant, the noise modeling software cabinet that we've used, um, is based on the ISO uh 9613 um calculation methodology, um, which takes um, uh, wind direction into account and assumes, um, downwind propagation as a worst case. I think we did provide a response to that at deadline for.

01:28:33:28 - 01:28:34:23

Yes, I.

01:28:34:25 - 01:28:35:10

Understand.

01:28:35:12 - 01:28:35:27

Thank you.

01:28:36:14 - 01:28:39:06

Are there any other comments from any other party in relation to noise?

01:28:40:09 - 01:28:41:05

If that's the case.

01:28:41:07 - 01:28:43:18

I'll hand you back to Mr. Jackson for item seven.

01:28:44:11 - 01:28:45:00

Thank you.

01:28:45:03 - 01:29:20:01

Um, I'm just going to do a quick I think I would hope because we did most of them at the end of the, um, traffic and transport sections. And. But I'm going to give network right now. Highway authorities and the applicant and opportunity site positions like the discussion we've had today. Obviously you will have an opportunity to follow that all up in writing. But at deadline five, which is the 9th of February. Um, we're going to give this opportunity. To be clear, there are interactions between the various elements we've been discussing today. Um, also give you opportunities to raise any, any implications from those matters we discussed today.

01:29:20:04 - 01:29:39:07

You may have, if that's another topic, areas that's air quality or biodiversity, so that the applicant can take them away and consider them again for that next deadline. Um, please note we only want to discuss matters where there are implications from traffic and transport noise, not from other matters. Start with.

01:29:42:11 - 01:29:43:21

Thank you, sir. Mr. Benson, on.

01:29:43:23 - 01:29:44:10

Behalf of National.

01:29:44:12 - 01:29:45:09

Highways, I don't think there's.

01:29:45:11 - 01:29:46:02

Anything I'd.

01:29:46:04 - 01:29:46:19

Like to.

01:29:46:21 - 01:29:47:14

Add in terms.

01:29:47:16 - 01:30:05:03

Of what we've already submitted today, but just for your benefit, to know that this is my last appearance at the examination, as I'm in the process of leaving National Highways and my colleague miss, everyone who attended today will be taking my place, and I will be letting your colleagues at the inspectorate know of those procedures.

01:30:05:05 - 01:30:06:02

And the contact details.

01:30:06:19 - 01:30:13:28

Thank you. Yes. That was about ten minutes of the last hearing anyway. So. Yeah. Uh, Leicestershire County Council.

01:30:14:27 - 01:30:53:27

This is your back end county council. Um, I think from what you've heard today and from from various submissions, we know there is a significant amount of work that remains outstanding. Um, on behalf of the applicant team, and we've noted there's only seven weeks left in the examination period. So, uh, like I said earlier, best one in the world. Um, we don't think we're going to be, um, in a position of agreement on a number of matters by that point. Um, we haven't touched on the legal agreements today, the section 106 agreement and the development consent order and protective provisions.

01:30:54:10 - 01:31:05:04

But, um, from Leicestershire's perspective, there is also some way to go on both of those agreements. Um, um, and a very short deadline in which to achieve any agreement.

01:31:05:21 - 01:31:28:23

Thank you. You will notice that there obviously was a, an it's an exam written question which essentially said all particular provisions. I feel great. If you haven't. Can I have pizza, please? Can I have a list of all the. All the things where you don't agree and the reasons why you don't agree, and that will apply, obviously, between the applicant and all the all nine sets, I think it is at the moment. I may have remembered that number.

01:31:29:29 - 01:31:30:14

Um.

01:31:31:00 - 01:31:43:00

Do, uh, Warwickshire county councillor hope this. I think this is probably still with us. Are there do they? I'm not quite sure. Yes they are yours is there or is there anything else he wants to say at the end.

01:31:43:02 - 01:31:43:21

Of the day?

01:31:43:23 - 01:31:45:06

Joanna chief, Warwickshire County.

01:31:45:08 - 01:31:49:11

Council no, I don't think there's anything further to add at this stage. Thank you.

01:31:50:06 - 01:31:51:13

Mr. Dorsey. You're shaking.

01:31:52:01 - 01:31:53:23

Thank you. No. Nothing further. Thank you.

01:31:54:03 - 01:31:56:12

Thank you. Uh, district council.

01:31:58:11 - 01:31:58:29

Only a.

01:31:59:01 - 01:32:24:04

Brief comment. Uh, just, um. We'll continue to work with the applicant, particularly on those controlled documents that are secured by DCI requirements. Um, to the extent that an agreed position on those documents can't be reached. If it can't be reached. Um, Labour's intention working with the other authorities would be to propose drafting of its own. So we'll just have to see where that gets to.

01:32:25:25 - 01:32:28:26

Um, Hinckley and Bosworth are

01:32:30:17 - 01:32:35:29

in the back of the, um. The judges are just there. Just just from the the.

01:32:37:09 - 01:32:37:29

Not as far.

01:32:38:01 - 01:32:50:01

As I'm aware. Thank you. Fine. Um, are there any other comments anybody else want to make before you please. Within the restrictions I gave earlier. Thank you. Mike coming over.

01:32:53:03 - 01:33:28:03

I guess it was just a very quick one. It was a question I asked at the end of the last public examination relating to traffic movements. That's fully within line of what we're discussing. Uh, there was great, uh, play made in my tax plan about the number of miles that will be saved by the rail freight interchange. I think from memory, they quoted 8 million in that original document. And I did ask at the last one for an assessment to be done on the miles that would be done by those people traveling to and from the site, particularly as we've heard from tri tax themselves, that they're not expecting anyone to get there other than by car.

01:33:28:15 - 01:34:00:17

And therefore, what was the next mileage saving on the site, which we still haven't seen. So I expect the 8 million even on the back of a piece of paper, your net savings, probably about a million miles at best, not the eight that was quoted. And it would be very useful to have that. And the second question I asked, which I still haven't received the answer to, is. What is the number? What is the percentage of goods going into the site by train? And what is the percentage of goods leaving the site by train? Because that really determines whether it's a rail freight interchange basically.

01:34:02:19 - 01:34:07:13

We have actually been provided with that figure. It is, it is. That figure is in the public domain.

01:34:10:15 - 01:34:11:00

Yeah.

01:34:12:18 - 01:34:13:03

Yeah.

01:34:13:25 - 01:34:31:06

I'm sure I've read it in the last week, which means it must be. It must have been a default submission. Mr. Heron's nodding his head with that one. So, um, is there anything we find in the applicant wish to say before we come to the sort of next steps and things like that? Thank you. Sir. Paul Mitchell for the applicant. There's just just one point, not.

01:34:31:08 - 01:34:32:00

Specifically.

01:34:32:02 - 01:34:33:28

On today, but a general timetabling.

01:34:34:00 - 01:34:34:19

Point.

01:34:35:05 - 01:34:35:29

Which was one of the.

01:34:36:01 - 01:34:40:19

Items that was scheduled for the 19th of January. Was your commentary on a.

01:34:40:21 - 01:35:13:16

Schedule of changes to the DCO? Now, obviously, we haven't had something specific. You've you've certainly raised questions on the DCO, whether it was your intention to issue something separate or at a later date. There is a there is a document which does set out the changes. I thought it had been published and I'm getting getting furrowed bowels from the back. So I'm well obviously if it hasn't been published we'll get we'll get it out ASAP. There's a document in the sense that we've written one. Um, what I say we'll have to check.

01:35:13:18 - 01:35:17:18

It's been it's been published, but the it should have been put it that way.

01:35:18:05 - 01:35:18:28

Thank you. Grateful.

01:35:20:21 - 01:35:21:06

Okay?

01:35:22:22 - 01:35:24:16

Yes. Yes, sir. Come.

01:35:28:28 - 01:35:47:23

Uh, John Harrison, representing the Friends of Narborough Station. Uh, whilst I'm quite disappointed that Network Rail haven't turned up today. Uh, can I just seek guidance from you, sir? Um, where do I go now? As far as my questions are concerned? Thank you.

01:35:48:22 - 01:36:25:22

Obviously you can write in any within the timetable and dealing with the comments received so far. As set out in the examination timetable. The opportunities remain for people to submit representations, um, up to the next for the next deadline, which is the 9th of February. Um, if you have specific questions of Network Rail, I suggest you have them with Network Rail Direct. Um, if it's um, and then obviously anything submitted in the examination there is the option for any participant, any interested parties, including the applicant, to respond to those comments at the deadlines thereafter up to the last deadline.

01:36:25:25 - 01:36:31:15

I think it's 3 or 4 days before the examination closes. Um, now we're gonna have a bit of a chat about that in a minute.

01:36:32:04 - 01:36:38:11

So you've no objection if I approach Network Rail with the questions that I have?

01:36:38:23 - 01:36:48:18

No you won't. Interactions between parties is entirely up. It is entirely a matter for. For those for you. Yeah. Please, ma'am, you're not here for Network Rail.

01:36:50:24 - 01:36:53:19

So I can, I can. One option is.

01:36:53:21 - 01:36:55:00

I can go direct to.

01:36:55:02 - 01:37:01:11

Yourself if you wish to. Yes. Yeah. Thank you. We can facilitate that. And questions that have been asked will be responded to next.

01:37:03:15 - 01:37:18:21

Thank you. Okay. Um, we've been keeping a list of actions from today, so, um, Mr. Herron's been keeping the ones for the traffic and transport, and I've been keeping the ones for Tuesday, so we're just going to run through them now. Let's start with the first ones.

01:37:19:22 - 01:37:57:27

So, as always, will provide a more detailed breakdown of the action points in due course. But some of the action points agreed in relation to traffic and transport, with responses due as soon as practicable or by deadline five include. Uh. The applicant is to hold discussions with National Highways in relation to modelling concerning overnight HGVs, and will provide data in this regard to relevant authorities. National highways are to confirm the nature of the roadworks at the adjoining A5 and M6 roundabout. The applicant is to provide a record drawings for features of over the M6, designed to relevant authorities to provide assurances in relation to structural integrity.

01:37:58:27 - 01:38:35:24

And Leicestershire County Council after details of Lutterworth urban extension, including when it was granted and what its implementation triggers are, the applicant is to provide additional raw survey data, including queue length details for normal level crossing, and this is to be shared with relevant authorities for comment and the applicant is to provide clarification as to where the a m p r cameras are and the mechanism to secure and monitor them, and the applicant is to withdraw and reissue its HGV route management plan and strategy, with corrections and clarifications in relation to fines from utilising prohibited routes and further updates as necessary.

01:38:36:17 - 01:39:13:14

And Labour councillor to provide written clarification. In terms of its concern in relation to its role in enforcing HGV routing breaches, should they still exist. Following further discussions with the applicant on this point, the applicant is to elaborate on the nature of managers in the traffic model and the applicant is to illustrate delivery and maintenance responsibilities for the outwards bridge. Um. Further discussions between Leicester County Council and the applicant in relation to the design of the footway cycleway adjacent to the A40 Severn Link Road are to take place and the applicant is to update sustainable transport strategy in terms of providing a table of commitments to be secured.

01:39:13:16 - 01:39:14:01

Thank you.

01:39:16:09 - 01:39:53:19

And moving on to the noise one. Um, the response by the applicant to Mr. Moore's rep for 204 and the night eight points where they're said to be errors. Um, I can provide effect on changes on, uh, on noise environment, on biodiversity in on Bainbridge common. Uh applicants provide sensitivity assessment in relation to permitted development and the effect on the overall model. The applicant provide soft dock information on soft soft dock and how it would interact on the site in relation to the assessments and how and how it would be secured.

01:39:54:15 - 01:40:25:08

Um, the applicant provide the actual distance of NMP for from the railway track. Um and the applicant provide given to double lane. That'll need to be quite specific rather than just saying it, whether it's from the central central point between the two tracks or from eight metres from the neighbor rail or whatever it what it happens to be, rather than because the tracks are themselves about 3 or 4, 4 or 5m wide in itself.

01:40:25:10 - 01:40:35:14

That's quite a distance. Um, and then finally, a discussion on rating penalties in relation to methodologies and those used in relation to other rail freight interchanges.

01:40:36:28 - 01:40:37:13

Yeah.

01:40:38:00 - 01:40:39:21

Everybody happy with those?

01:40:42:12 - 01:40:42:27

Okay.

01:40:43:07 - 01:40:44:11

Right. Um.

01:40:46:10 - 01:41:20:05

One thing we have been pondering on, and we haven't made up our minds on this, but wondering whether participants would find it beneficial for them to submit at the end of the examination. Summation of their cases essentially a summary and signposting documents. I've seen this done in some national significant infrastructure projects examinations. I know some examination examining authorities have found it useful, and once I've done this, what I have found it useful in in preparing your report for the relevant Secretary of State. Um, we haven't made a request as such as yet, so would need to change the timetable and procedural decision.

01:41:20:17 - 01:41:41:29

Um, I was wondering if we were to request that documents, and I don't think it would be obligatory, but I was wondering whether the interested parties would find the opportunity. Welcome the opportunity. So to do. Um, I'll just run around the table. I appreciate this simply won't be you doing it because you'll have gone on to bigger and better things. But, uh, I just wanted to start with you. Just work my way around the table.

01:41:42:26 - 01:41:43:15

Thank you. Sir.

01:41:43:19 - 01:41:44:11

Uh, Mr. Bashir.

01:41:44:13 - 01:41:51:24

On behalf of National Highways, um, I can't see why we would have an objection to that proposal. Because I think it might help all parties. Um.

01:41:52:04 - 01:41:52:19

Thank you.

01:41:52:27 - 01:41:54:09

Uh, Leicestershire County Council.

01:41:54:21 - 01:41:55:06

Um, Mark.

01:41:55:17 - 01:41:56:21

Smith for Leicestershire County.

01:41:56:23 - 01:41:57:09

Council.

01:41:57:17 - 01:41:58:09

Uh, as it.

01:41:58:11 - 01:41:59:21

Happens, we were discussing.

01:41:59:23 - 01:42:02:09

Producing such a document yesterday.

01:42:02:11 - 01:42:02:27

And preparing.

01:42:02:29 - 01:42:04:10

For this hearing. We think it.

01:42:04:12 - 01:42:05:06

Would be useful.

01:42:05:08 - 01:42:07:13

And we were if you weren't.

01:42:07:15 - 01:42:08:07

Going to request.

01:42:08:09 - 01:42:09:14

The same. We're thinking about.

01:42:09:21 - 01:42:10:09

Producing one.

01:42:10:11 - 01:42:10:29

At the last.

01:42:11:01 - 01:42:12:09

Deadline in any event.

01:42:13:11 - 01:42:14:27

Uh, Labour District Council.

01:42:16:16 - 01:42:21:14

O'Connor. O'Connor for District Council would certainly be open to that suggestion and consider it.

01:42:21:22 - 01:42:24:02

I appreciate you're not really here for this, but.

01:42:26:18 - 01:42:34:03

Absolutely. No problem. Um, and lastly, I'm really talking of the statutory authority. Um, the applicant, do you think? I think it would be.

01:42:34:10 - 01:42:35:11

Uh. Yes, sir. Quite content.

01:42:36:11 - 01:42:44:00

We'll have a we'll have a think about that. And if we feel that's appropriate, we will issue a procedural decision and go from there. Um.

01:42:49:16 - 01:42:50:03

Um, can.

01:42:50:08 - 01:43:28:19

Can I make one final comment about submission of documents in the examination? Various partisans and it's been more than one have submitted documents after the 2359 deadline and we, as examining authority, have had to use our discretion to accept them. To date, we've been able to do so. However, as we approach the end of the examination, I suspect we will become less tolerant and less willing to accept late documents as this can lead to unfairness. Can I remind everyone that late submission is likely to be considered unreasonable behavior per se, and could lead to a costs award when the examination closes, which will be no later than the 2023 59 hours on Tuesday, the 12th of March.

01:43:28:21 - 01:43:54:24

We will have no discretion to accept documents late and we will not see me preparing our report to the Secretary of State. I'm disappointed to have to make this statement again, and would look to all participants to ensure that they are organised so that they submit further documents as requested, on



time and by and by that I would strongly suggest that they submit documents with a few hours to spare as a minimum to avoid a transmission issues. I point has been taken.

01:43:56:16 - 01:44:26:20

I think the point, the last point on the agenda, which is to say close, which as this is likely to be the last time we are all together in the sense of a physical hearing. Can I thank everybody who's been involved over the whole examination to date? I appreciate we haven't got the seven weeks to go, and then we've got another three months after that before we submit our report to the Secretary of State. But can I thank everybody for your help in moving the matters forward? Thank you. Saying and I think the applicant has got a question about directing procedure.

01:44:27:11 - 01:44:28:10

Thank you sir. Thank you for.

01:44:28:12 - 01:44:30:26

Bearing with me. It was just in response to, uh.

01:44:30:28 - 01:44:31:15

In.

01:44:31:17 - 01:44:32:10

Light of your stance.

01:44:32:12 - 01:44:32:27

On the.

01:44:32:29 - 01:44:33:26

Commentary on the.

01:44:33:28 - 01:44:34:13

Draft.

01:44:34:15 - 01:44:35:02

DCO.

01:44:35:04 - 01:44:36:24

One of the other things was.

01:44:36:27 - 01:44:39:01

On that list for the 19th of January was a report.

01:44:39:03 - 01:44:45:17

A report on the implications for European sites, if that was required. I haven't seen one that's not being not discussed. That's a simple.

01:44:45:19 - 01:44:46:04

One.

01:44:47:27 - 01:44:53:13

Thank you. In which case, thank you, everybody, for your attendance today. Uh, this hearing is now closed.