

Comments on the Applicant's Response to Deadline 6 Submissions [part 8 - Residents Businesses] by Wiliam David Moore

The applicant's [responses](#) are overwhelmingly either direct or indirect references to the applicant's previous responses. The applicant is attempting to give the impression that meaningful and comprehensive responses have already been made to the points I made and the evidence I provided. But in many instances, that is simply not the case.

Many of the applicant's previous responses were incorrect or did not address the point. I explained this to the applicant. The applicant has not made new responses, but has essentially said they have nothing to add.

This means there's very little to respond to. The applicant has almost entirely stopped engaging.

My submissions at Deadline 6 are in *italics*. The applicant's responses are in **red**.

1. The applicant's noise assessment update note doesn't address all the NSRs associated with NMP4.

It is assumed that this refers to the resultant noise levels at NSRs 1 and 24 which are now shown below

NSR	Daytime (0700-2300)				Night-time (2300-0700)			
	Rating Level	Ambient Level	Rating + Ambient	Increase	Rating Level	Ambient Level	Rating + Ambient	Increase
1	47	56.2	56.7	+0.5	47	54.8	55.5	+0.2
24	50	56.2	57.1	+0.9	47	54.8	55.5	+0.2

The applicant has started attributing the same contour claims from Billington Road East to NSR 1.

Look at the location of NSR 1 on [the applicant's road noise contour map](#). It's in the applicant's 45.0-49.9 **LA10 18hr** road noise contour. Yet the applicant is attempting to attribute 55 dB LAeq of daytime road noise to the NSR.

The applicant should not be doing this.

Like all the NSRs in the applicant's Update Note, NSR 1 is outside the applicant's rail noise contours, yet the applicant is still attempting to attribute 50 dB of rail noise to the NSR during all time periods.

The applicant should not be doing this.

2. The applicant has misstated the locations of NSRs 2, 3 & 4. Those NSRs should not have been included in Table 5 of the applicant's update note and the applicant's claims relating those NSRs can be discarded.

The Applicant has provided a further response to the Rule 17 Letter received 20th February in the Hinckley NRFI Noise Note Response to ExA Rule 17 letter (document reference: 22.3) submitted as part of Deadline 7.

The applicant's response to the Examining Authority's Written Question does not address the point at all.

As I have repeatedly explained to the applicant, NSRs 2, 3 & 4 aren't on Billington Road East. I think the applicant is deliberately not acknowledging the misstatement of location. NSRs 2, 3 & 4 are very far away from the applicant's rail noise contours and are also within lower road noise contours within [the applicant's road noise contour map](#).

3. The applicant has attempted to attribute 50 dB of rail noise to the NSRs in Table 5, but all the NSRs in Table 5 are outside the rail noise contours introduced by the applicant.

The Applicant has previously responded to this comment through the Applicant's Written Statement of Oral Case (document reference: 18.15, REP5-025). This remains a point of disagreement.

All the NSRs in the applicant's Update Note are outside the applicant's rail noise contours. This applicant is denying the contents of their own Update Note and own NSR locations.

The reasoning already provided for the use of ambient noise levels measured at NMP4 is also applicable to NSRs 1 and 24

No, it isn't.

NSR 1 isn't on Billington Road East.

Look at the location of NSR 1 on [the applicant's road noise contour map](#). It's in the applicant's 45.0-49.9 LA10 18hr road noise contour. Yet the applicant is attempting to attribute 55 dB LAeq of daytime road noise to the NSR.

The applicant's claim that NSRs experience more ambient road noise than NMP4, and therefore the sound of train pass bys measured by NMP4 during different time periods shouldn't be attenuated, is demonstrably inapplicable to NSR 1. NSR 1 is located in a **lower** road noise contour than NMP4.

Baseline and Off-Site Rail Movements

The Applicant maintains that the assessment of noise as a result of additional trains is outside of the scope of the Noise and Vibration Chapter (document reference: 6.1.10A, REP4-039) and has only been provided for completeness. However, the results are not a material consideration of the application.

The applicant has included a section on off-site train movements. Given the applicant has included it, it needs to be correct. It is currently incorrect and is spreading misinformation. The applicant either needs to correct this section, or withdraw it.

6g Rating penalties The ExA asked the Applicant to address Mr Moore's breakdown of rating penalties.

The applicant misquoted me and responded to something I did not write or say. The applicant's response does not correct these misdeeds.

Gantry Cranes

The second is that the post-mitigation specific sound levels for NSR 19 listed in the applicant's tables do not include noise associated with the gantry cranes.

This is incorrect, the noise levels detailed in Table 10.64 of Chapter 10 Noise and Vibration 6.1.10A, rep-039 Revision 08 include noise associated with Gantry Cranes as detailed in paragraph 10.341.

The applicant's response is confused. The post-mitigation specific sound levels for NSR 19 are listed in Tables 10.55 (there are two tables with that name), 10.56, 10.58 and 10.59. Those post-mitigation specific sound levels do not include noise associated with the gantry cranes.

Table 10.64 and Paragraph 10.341 do not list the post-mitigation specific sound levels due to operational noise. They include projected road noise and have not been used for the BS 4142 assessment.

The applicant never shows the post-mitigation specific sound levels for any NSR due to projected operational noise with the gantry cranes included.