

Summary/Signposting Document by **William David Moore**

The examination process has been a very frustrating experience. Correspondence with the applicant since Deadline 1 has yielded no progress.

I have had to keep submitting very lengthy documents because the applicant has refused to acknowledge any misbehaviour and has repeatedly issued responses which don't address the matters at hand in a meaningful way.

None of the problems in the [Noise Report](#) (REP4-039) have been corrected.

The Examining Authority has asked for cases not to be re-stated in this document, so I have tried hard to avoid doing that. Some points are scattered in responses across multiple documents so without a short comment the point may be unclear.

Dispute Over Current Ambient Sound Levels Attributed To NSRs

The applicant has attributed overstated current ambient sound levels measured in extremely close proximity to the railway line to NSRs associated with NMP4 (NSRs 1-8 & 24-26) and NMP3 (NSR 19).

This issue is covered:

- On pages 2-4 of my [Written Representation](#) (REP1-239)
- In "Sound Measurements Which Refute The Applicant's Ambient Sound Claims by William David Moore" submitted at Deadline 8

The applicant's contour claims are covered:

- In "Sound Measurements Which Refute The Applicant's Ambient Sound Claims by William David Moore" submitted at Deadline 8
- On Pages 1-2 of "Comments on the Applicant's Noise Note Response to ExA Rule 17 letter by William David Moore" submitted at Deadline 8
- In [Response to the Applicant's Noise Assessment Update Note by William David Moore](#) (REP4-204)

Dispute Over Post-Mitigation Operational Sound Levels Not Including Gantry Crane Noise

The applicant hasn't included the noise associated with the gantry cranes in the projected post-mitigation operational sound levels in the report's post-mitigation tables, those being Tables 10.55 (there are two tables with that name), 10.56, 10.57, 10.58, 10.59 and 10.60.

Because not all operational noise sources are included, the applicant's tables understate the projected operational noise at NSRs and understate the projected change in sound levels.

This issue is covered on:

- The bottom half of page 9 and on page 10 of [Comments on the Applicant's Response to Deadline 4 Submissions \[part 11\] by William David Moore \(REP6-043\)](#). The section is about Burbage Common, but it applies to all NSRs.

Dispute Over Lack of Any Rating Penalty to Projected Specific Sound

The applicant's report hasn't applied a +3 dB rating penalty due to "other sound characteristics" to the post-mitigation specific sound levels in the absence of rating penalties due to impulsivity, tonality or intermittency.

This issue is covered on:

- Page 5 of my [Written Representation \(REP1-239\)](#)

Dispute Over Improper Application of Impulsive and Tonal Penalties to Projected Specific Sound

The applicant has not disclosed any methodology behind rating penalty decisions, other than saying the subjective method has been used. The applicant has attributed overstated current ambient sound levels to NSRs associated with NMP4 (NSRs 1-8 & 24-26) and NMP3 (NSR 19). The overstated current ambient sound levels were likely used in the applicant's rating penalty decisions.

This issue is covered in:

- "Sound Measurements Which Refute The Applicant's Ambient Sound Claims by William David Moore" submitted at Deadline 8

Applying the method disclosed and used in [The West Midlands Rail Freight Interchange](#) to the applicant's own impulsive operational LAFmax levels and overstated current ambient sound levels leads to far higher rating penalties than those in the applicant's report. The applicant has touted soft-dock technology, but the applicant has not guaranteed that the LAFmax levels in the applicant's report could not occur, and the applicant has not provided any lower operational LAFmax levels. The applicant has not provided any data on tonal noise.

This issue is covered:

- On page 6-8 of my [Written Representation \(REP1-239\)](#)

Dispute Over The Applicant's Inclusion And Reliance Upon Paragraph 10.174 (Context Section)

This issue is covered on:

- Page 13 of my [Written Representation \(REP1-239\)](#), titled "Highly Misleading Reference to Relevance of Absolute Sound Levels (Context Section)"

- Page 3 of “Comments on the Applicant's Noise Note Response to ExA Rule 17 letter by William David Moore” submitted at Deadline 8.

Dispute Over The Applicant's BS 4142 Noise Assessment Contextual Adjustments

This issue is covered on:

- Pages 8-9 of my [Comments on the Applicant's Response to Deadline 3 Submissions \[Part 9 - Noise\] by William David Moore \(REP5-099\)](#), titled “Use and Misuse of Context”

Dispute Over The Applicant's Expunging of NMP4's Saturday Night-time Sound Measurements

This issue is covered on:

- Pages 9-12 of my [Written Representation \(REP1-239\)](#), titled “Wrongful Expunging of Saturday Night-time Sound Measurements”

Dispute Over The Applicant's Overstatement Of Current Freight Train Pass Bys

This issue is covered on:

- Pages 16-19 of my [Written Representation \(REP1-239\)](#), titled “Demonstrable Overstatement of Current Freight Train Passes ”

Dispute Over The Applicant's Window Attenuation Figure Being Out Of Line With Other Rail Freight Interchange Proposals

This issue is covered on:

- Page 14 of my [Comments on the Applicant's Response to Deadline 3 Submissions \[Part 9 - Noise\] by William David Moore \(REP5-099\)](#), titled “Window Attenuation”

Dispute Over Construction and Construction ‘Mitigation’

This issue is covered on:

- Pages 11-12 of my [Comments on the Applicant's Response to Deadline 3 Submissions \[Part 9 - Noise\] by William David Moore \(REP5-099\)](#)

Dispute Over Tranquillity Assessment For Burbage Common & Woods

The applicant has used the ambient sound levels measured by NMP3 in extremely close proximity to the railway line, leading to weekday daytime ambient sound levels of 57-60 dB.

This issue is covered on:

- Page 5 of my [Comments on Applicant's Written Statement of Oral Case at ISH6 by William David Moore](#) (REP6-042)

Since operational noise contributes to the overall projected noise level, all previously identified concerns regarding specific sounds and rating penalties are also relevant to the tranquillity assessment.

Dispute Over Lack of Cumulative Impact Assessment

This issue is covered on:

- Page 18 of my [Comments on the Applicant's Response to Deadline 3 Submissions \[Part 9 - Noise\] by William David Moore](#) (REP5-099)

The Black Box

This issue is covered on:

- Page 18 of my [Comments on the Applicant's Response to Deadline 3 Submissions \[Part 9 - Noise\] by William David Moore](#) (REP5-099)