

APPENDIX 2

Respondent	Comment	Recommendation
<p><b>Group Roads Maintenance</b></p>	<p>Suggested that the distance stated for separation of accesses (item 5.1.5) is contrary to the outlines of sharing outlined in item 3.1</p> <p>Indicated some concerns regarding passing places. Possible implications for location, costs (land purchase/ drainage works etc) (item 5.4.1)</p> <p>Suggested combining items 5.9.4 and 5.1.3 together where surface water should not be permitted to flood/ flow onto carriageway.</p> <p>Expressed concerns about discharging via offlets into a site and disposing of accordingly. (item 5.9.5)</p> <p>Suggested that part of a sentence be removed 'These events are rare, but they do occur' when explaining how the applicant has to design the site to allow water to discharge safely in storm events (item 5.10.1)</p> <p>Suggested that the sentence should be reworded in relation to 'the applicant should examine the SEPA flood map' rather than 'should consider examining'. Also suggested that 'necessarily' be removed from the sentence ' However it should be noted that this relates to large-scale flood risk</p>	<p>Separation of accesses is proposed on the grounds of managing conflicting movements and road safety. Not all applicants wish to share an access (land ownership issues) <b>NOTED</b></p> <p>New/additional passing places requirement is appropriate in terms of MLP 2008 Policy T2. Through the new Service Level Agreement with Aberdeenshire Council developer contributions in respect of passing places will be managed. Moray Council will be expected to deliver passing place within a reasonable time period. <b>ACCEPTED</b> - change the document to reflect the Service Level Agreement</p> <p><b>ACCEPTED</b> – merge text</p> <p>Land owner adjacent to the public road is required to accept and deal with water discharging from the public road. <b>NOTED</b></p> <p><b>ACCEPTED</b> – remove sentence</p>

APPENDIX 2

Respondent	Comment	Recommendation
	<p>assessment and does not necessarily show sites that may be susceptible to localised flooding' (item 5.11.2)</p> <p>Suggested the adding of text for occupation of the road stating 'To erect scaffolding on the road, footway or verge' instead of merely saying 'To erect scaffolding'</p> <p>Noted the dimensions in Appendix B Passing place drawing - requested confirmation of standards</p> <p>Similarly for the same drawing suggested removing the words 'add capping as required' from item 1, to something like 'excavate/infill to meet required level of formation'</p> <p>For item 4 same drawing 'base course' should be changed to 'binder course'. For item 5 same drawing 'wearing course' should be changed to 'Surface course'.</p> <p>For items 2 to 5 above the total construction depth adds up to 450mm whilst Roads Maintenance currently build passing places with 350mm of construction. Again requested confirmation of standards.</p>	<p><b>ACCEPTED</b> - amend text to positively require the applicant to examine the SEPA flood map.</p> <p><b>ACCEPTED</b> – amend text to clarify the requirement in relation to the road, footway or verge.</p> <p>Dimensions reflect a housing development. Dimensions are the same as those used by Aberdeenshire Council. <b>NOTED</b></p> <p><b>ACCEPTED</b> – amend text</p> <p><b>ACCEPTED</b> – amend text to binder-course and surface course.</p> <p><b>ACCEPTED</b> – amend text</p>
<p><b>Group Planning &amp; Development</b></p>	<p>Clarification on the objective of document - to satisfy design procedures or for planning application purposes.</p> <p>Suggested providing a glossary or similar to define "rural Moray", and "public road"</p>	<p>Document provides the framework for meeting the requirements of managing and maintaining the road network in accordance with the Roads (Scotland) Act 1984. In addition it assists with the achievement of MLP 2008 Policy T2, T5 and IMP3. <b>NOTED</b></p> <p>Public road definition is as defined by the Roads (Scotland) Act. The document is aimed mainly at new housing in the Countryside. <b>ACCEPTED</b> - amend document title and include glossary of key words</p>

APPENDIX 2

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	<p>Suggested removing paragraph item 1.6 which provides guidance on suggesting/ recommending who should or should not be making applications.</p> <p>Queried whether the objectives of safety, construction, drainage and accessibility were contained within the document as stated.</p> <p>Queried why MLP2008 was not mentioned in document.</p> <p>Suggests that there is no demonstration of a measurable adverse or negative impact in the document to request a developer contribution towards Moray Dial-a-bus services. Commented that applications should be first considered in relation to development plan policy.</p> <p>Suggested the provision of passing places should be considered on a weighted basis appropriate to safety and environmental impacts. Commented that single track roads can be part of the character or rural area and this may be altered if dominated by passing places.</p> <p>Requested clarification of intentions of paragraph relating to assignment of visibility splay y-distance being based on existing speed limit unless applicant provides observed speed data.</p>	<p>It is recommended that an applicant seek professional advice.</p> <p><b>NOT ACCEPTED</b></p> <p>The objectives are all set out in paragraph 2.2.</p> <p><b>NOTED</b></p> <p>MLP 2008 policies are referred to in paragraph 2.1 and Appendix D <b>NOTED</b> – additional reference to key MLP 2008 policies will be added</p> <p>Measurable impact is the lack of access to rural transport in accordance with PAN75. The developer contribution reflects MLP 2008 Policy IMP3. It is intended to overcome the obstacle that would otherwise lead to a recommendation for refusal. Through the new Service Level Agreement with Aberdeenshire Council developer contributions will be managed. <b>ACCEPTED</b> - change the document to reflect the Service Level Agreement</p> <p>New/additional passing places requirement is appropriate in terms of MLP 2008 Policy T2. This policy requires provision of road access and any necessary modification to the existing road network. The need for a new passing place is based on appropriate consideration based on location of existing provision, distance to nearest passing place, and inter-visibility. Through the new Service Level Agreement with Aberdeenshire Council developer contributions in respect of passing places will be managed. Moray Council will be expected to deliver passing place within a reasonable time period. <b>NOT ACCEPTED</b></p> <p>The applicant is offered the opportunity to use observed vehicle speeds to identify appropriate visibility splay. In the absence of any supporting information Transportation officers will base visibility splay requirement on the</p>

APPENDIX 2

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	<p>Considered that use of 'standard' dimensions may not reflect local conditions.</p> <p>Clarification required to show that parking requirements should also consider garage and/or hard standing arrangements, and details required to show how parking standards were defined. Commented that parking requirements should not dominate layout of sites.</p> <p>Noted that Appendix A has more 'planning' questions than a planning application does and many are the same or similar. Considered the checklist to go beyond planning requirements.</p> <p>Noted that he considered it wrong to delay applications from being validated because checklist A did not accompany the submission. Particularly with the new e-planning system. Suggested that alternative ways of obtaining the checklist information would need to be considered.</p> <p>Queried the requirement that applicants have to demonstrate control over land for visibility splays.</p> <p>Noted the limited coverage of SEPA flood maps (river and coastal). Suggested avoiding reference to a 'suitable person'</p> <p>Suggested that some of Transportations requirements may</p>	<p>speed limit in the vicinity of the proposed development. This ensures evidence based visibility splays that can be defended where challenged. <b>NOTED</b></p> <p>Parking provision does include garage, and appropriate hard surfaces. MLP 2008 Policy T5 Parking Standards confirms the requirement for parking to be provided. Parking standards are consistent across Moray based on the number of bedrooms. Parking must satisfy the total number required and be capable of permitting entry and exit from the site in forward gear. The parking provision for each application will be considered against the relevant standards. <b>NOTED</b></p> <p>Do not consider the quantity of questions in the check list as a barrier to it being a useful aid to prospective house builders. The check list assists the applicant and also assists Transportation in the evaluation of the planning application. <b>NOTED</b></p> <p>There is no suggestion that the validation of planning applications would be delayed due to the lack of a check list. However the lack of a check list will lead to more occasions when Transportation seeks further information from the applicant. This is likely to lead to delayed consultation responses. <b>NOTED</b></p> <p>The principle of control over land for visibility splay has been accepted by Scottish Government reporters and other planning officers across Scotland. This is an essential road safety element of any application and addresses MLP 2008 Policy T2. <b>NOTED</b></p> <p><b>ACCEPTED</b> - amend text to positively require the applicant to examine the SEPA flood map and delete reference to suitable person.</p> <p>This emphasises the need for early consultation so that transportation</p>

APPENDIX 2

Respondent	Comment	Recommendation
	<p>not be identified until after assessment/ planning consultation etc and these requirements may in themselves require planning permission or necessitate a material amendment or fresh application. The document could advise that proposals for development, including changes to submissions should be discussed with the Councils Development Management Service.</p>	<p>requirements can be identified and appropriate planning permission is sought. The document provides guidance to enable the identification of all requirements in advance of the application.</p> <p><b>ACCEPTED</b> – add text to include advice to contact Development Management Service</p>
<p><b>Group</b> <i>Confidential</i></p>	<p>Queried what 'Transport Development' meant.</p> <p>Suggested that current provisions (at this time) are sufficient, however any reductions in services provided would be detrimental to local communities.</p>	<p>Transport Development is a section within Transportation. Reference will be made to 'Transportation' to reduce possible confusion.</p> <p><b>ACCEPTED</b> – amend text to Transportation</p> <p>There is no suggestion to reduce provision. New development must satisfy planning policies and road standards. This document ensures acceptable new developments.</p> <p><b>NOTED</b></p>
<p><b>Group</b> <b>Edinville</b> <b>Community</b> <b>Hall Council</b></p>	<p>Suggested that local road users be consulted as to the best locations of new passing places.</p>	<p>Through the new Service Level Agreement with Aberdeenshire Council developer contributions in respect of passing places will be managed. Moray Council will be expected to deliver passing place within a reasonable time period. A technical evaluation will be undertaken.</p> <p><b>NOT ACCEPTED</b></p>
<p><b>Group</b> <i>Confidential</i></p>	<p>No comments made</p>	<p><b>NOTED</b></p>
<p><b>Group</b> <b>Grange</b> <b>Community</b> <b>Association</b></p>	<p>No comments made</p>	<p><b>NOTED</b></p>
<p><b>Group</b> <b>Heldon</b> <b>Community</b> <b>Council</b></p>	<p>No comments made</p>	<p><b>NOTED</b></p>
<p><b>Group</b> <b>Innes</b> <b>Community</b> <b>Council</b></p>	<p>Suggested it would not be an equitable charge to make against developers until all rural areas are covered by Dial-a-bus services (where existing bus services are</p>	<p>Developer contributions can be sought where there is justification arising from the new development and where the obstacle to planning approval can be remedied.</p>

APPENDIX 2

Respondent	Comment	Recommendation
	<p>not available)</p> <p>Suggested that provision of passing places is a road safety issue and should already be addressed by the Council under this provision.</p> <p>Suggested that many existing single track roads are public but themselves have no passing places on them.</p> <p>Suggested a fairer approach to passing place provision was to make the Council responsible for negotiation with relevant landowners with a pro rata contribution being made by the developer.</p> <p>Suggested proposals for y-visibility requirements to be a road safety matter and Council should already be aware of the issues via due diligence. Considered this as the Council trying to save costs and trying to avoid their road safety issues.</p> <p>Suggested new parking standards are 'slightly excessive'.</p> <p>Suggested the document put a far higher financial burden on building in Rural Areas and considered this unfair.</p>	<p>There is a limited area covered by the Dial-a-bus services. Areas not currently served by dial-a-bus tend to have a higher level of public transport provision via conventional bus services. Through the new Service Level Agreement with Aberdeenshire Council developer contributions will be managed. <b>NOT ACCEPTED</b></p> <p>MLP 2008 Policy T2 requires a safe and suitable access for development – this includes the route to the site where passing places may be required. <b>NOT ACCEPTED</b></p> <p>Passing places are provided on many single track roads. Limited resources do not permit widespread provision. <b>NOTED</b></p> <p>Through the new Service Level Agreement with Aberdeenshire Council developer contributions will be managed. This is the intended process. <b>NOTED</b></p> <p>Policy T2 states that a safe and suitable access is required to serve new development. The provision of a new access onto the public road or the intensification of use of an existing sub-standard access requires the provision of an appropriate visibility splay – in order that vehicles can enter and exit safely. <b>NOT ACCEPTED</b></p> <p>The requirement for houses with 5 or more bedrooms to provide 4 parking spaces was put forward to deal with the anticipated number of vehicles for this scale of development. This is not consistent with the current parking standards <b>ACCEPTED</b> – amend text to reflect parking standards</p> <p>There is no intention to create an unjustified financial burden. MLP 2008 polices permit housing in the countryside subject to meeting</p>

APPENDIX 2

Respondent	Comment	Recommendation
	<p>Suggested than many in the rural communities feel penalised because of where they live, more information should be provided, and the Council should lead by example.</p>	<p>requirements. <b>NOT ACCEPTED</b></p> <p>The Council develops policies to manage and maintain the public road network. There is a limited resource that has to be administered. The Council has introduced the Dial M bus services and carries out a range of works on the public road network. <b>NOTED</b></p>
<p><b>Group Lhanbryde Community Challenge</b></p>	<p>Suggested title of document was not very clear as many would be unfamiliar with the jargon. Suggested change document to 'The Moray Council Transportation Service Requirements for Small Developments in Rural parts of Moray'</p> <p>Suggested that Appendix D does not seem to fit in with the rest of the document, and incorporated separate Planning and Development issues lifted from another document. Suggested rewording of the cover page to recognise this.</p>	<p><b>ACCEPTED</b> - amend document title and include glossary of key words</p> <p>Appendix D contains policy extracts from the Moray Local Plan 2008.</p> <p><b>ACCEPTED</b> – amend document to clarify extract from the MLP 2008</p>
<p><b>Group Scottish National Heritage</b></p>	<p>Considered that the document and associated guidance addresses any Natural Heritage issues, and therefore have no further comments to make.</p>	<p><b>NOTED</b></p>
<p><b>Group CM Design</b></p>	<p>Suggested that the title should reflect more the fact that it refers to new residential developments. Also documents should clarify as to whether it relates to developments outwith the settlement boundaries (including rural community boundaries), or if all residential developments outwith Moray principal towns/ villages are included. Paragraph required.</p> <p>Regarding the objectives of safety, construction, drainage and accessibility, suggested a caveat should be added to allow some flexibility – a strict inflexible approach sometimes makes it difficult to develop unique sites.</p>	<p>Guidance is intended for properties in the countryside but also settlements outwith the principal towns and villages, in particular for locations where the access is on to a de-restricted road (which in some instances is within a small settlement e.g. Kellas)</p> <p><b>ACCEPTED</b> - amend document title and include glossary of key words</p> <p>The objectives set out in paragraph 2.2 are quite general. Each application will be considered on merit. If a site is constrained and cannot provide a safe and suitable access then it is not suitable for development. <b>NOT ACCEPTED</b></p>

APPENDIX 2

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	<p>Expressed concerns over Dial-a-bus contribution: namely how is it measured, why is it only specific to certain areas and this unfairly disadvantaged developers within these areas. Also queried how £250 figure was arrived at and requested clarification as to what would happen if the dial-a-bus service was withdrawn.</p> <p>Requested clarification as to at what stage the contribution payment would be required and how it would be collected.</p> <p>Requested clarification as to identifying what the contribution relates to – refurbishment of existing/ conversions/ new build non-residential buildings etc.</p> <p>Requested clarification as to whether contribution was required for rural community sites within MLP2008.</p> <p>Requested details on the proposed timescale for the reviews of the contribution sum.</p> <p>Requested clarification of how para 5.4.2 relates to the provision of a single passing place, as it seems to refer to multiple passing places.</p> <p>Requested details on at what point would trigger the Authority to look at widening the carriageway to be two lane width.</p> <p>Suggested the document adopts too strict an approach with visibility y-distances being based on speed limits. Suggested that the standards should be as per Table 2/1 of DMRB.</p> <p>Considered the situation for derestricted roads where visibility</p>	<p>Through the new Service Level Agreement (SLA) with Aberdeenshire Council developer contributions will be managed. This section of the document will be amended to reflect the SLA. The details are yet to be finalised.</p> <p><b>ACCEPTED</b> - change the document to reflect the Service Level Agreement</p> <p>See above comment.</p> <p><b>NOTED</b></p> <p>See above comment.</p> <p><b>NOTED</b></p> <p>See above comment. MLP Policy IMP3 Developer Contributions. Any development which results in additional demand for travel in rural areas.</p> <p><b>NOTED</b></p> <p>See above comment.</p> <p><b>NOTED</b></p> <p>See above comment.</p> <p><b>NOTED</b></p> <p>MLP 2008 Policy T2 requires provision of road access and any necessary modification to the existing road network. The requirements for each planning application are considered on individual merits.</p> <p>The y-distance is based on the observed speed or speed limit of the main road. In the absence of any supporting information Transportation officers will base visibility splay requirement on the speed limit in the vicinity of the proposed development.</p> <p><b>NOT ACCEPTED</b></p> <p>The applicant is offered the opportunity to use observed vehicle speeds to</p>

APPENDIX 2

Respondent	Comment	Recommendation
	<p>y- distance would be for 60mph to be overly restrictive. A large proportion of the roads are narrow and meandering which results in actual speed of well below the speed limit. Suggested that the y-distance should be based on an assessment of the road (by Council officer) and only if developer disagrees then should survey be undertaken.</p> <p>Suggested changes to wording – section 1.6 ‘Architect’ should be replaced by ‘ Professional Architectural Agent’ Noted there was a typo error last sentence.</p> <p>Suggested a diagram be provided to show visibility splays 5.6.4</p> <p>Requested why the visibility splay table provides more onerous splay distances than those contained in table 2/1 of the Design Manual for Roads and Bridges (see previous)</p> <p>Requested an interactive version of the final document be made available via the Council website</p>	<p>identify appropriate visibility splay. In the absence of any supporting information Transportation officers will base visibility splay requirement on the speed limit in the vicinity of the proposed development. This ensures evidence based visibility splays that can be defended where challenged.</p> <p><b>NOTED</b></p> <p><b>ACCEPTED</b> – amend text to cover generic architectural professional</p> <p><b>ACCEPTED</b> – insert diagram</p> <p>For safety, drivers both on the major road and on the direct access shall be able to see any potential hazard in time to slow down or stop comfortably before reaching it. Visibility splays are required to enable emerging drivers using the direct access to have adequate visibility in each direction to see oncoming traffic in sufficient time to make their manoeuvre safely without influencing the major road traffic. Table 2/1 refers to the ‘desirable minimum stopping sight distances’ on the main road. It states that there are no relaxations available to these figures. 100kph (60mph) = 215 metres 85kph (50mph) = 160 metres 70kph (40mph) = 120 metres The above y-distances are identified in the document to ensure safe vehicle movements can be undertaken by the users of the new development.</p> <p><b>NOT ACCEPTED</b></p> <p>Final document will be available via the Council web site. <b>ACCEPTED</b></p>
<p><b>Group Glenmore Properties</b></p>	<p>No comments</p>	<p><b>NOTED</b></p>

APPENDIX 2

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<p><b>Group</b> Confidential</p>	<p>Suggested developer contributions section be removed from document as it will be covered within Developer Contributions Team as a uniform approach. (item 4.5)</p> <p>Suggested that sites should be assessed individually to take account of speed limits etc. The policy should be different for say a village to a rural country road. Having a blanket approach would prevent development which is against the policies of the MLP2008. (item 5.1.5)</p> <p>Suggested that a service bay should only be required on a rural road, rather than say a gap site within a village (item 5.1.1)</p> <p>Suggested a distance back off carriageway of 8m is severe in terms of design principles for plot design (item 5.2.1)</p> <p>Suggested amending table to accommodate previous comments. The distances should be the same for surfacing whether a house is 8m or 50m back from the adopted road. (item 5.3.2)</p> <p>Suggested that a uniform approach to passing place provision and this element should be removed from the document as it will be incorporated within the Developers</p>	<p>Through the new Service Level Agreement (SLA) with Aberdeenshire Council developer contributions will be managed. This section of the document will be amended to reflect the SLA. The details are yet to be finalised.</p> <p><b>ACCEPTED</b> - change the document to reflect the Service Level Agreement</p> <p>Sites to be assessed on basis of vehicle speed. Some sites are within rural settlements but the road is de-restricted e.g. Kellas. Any relaxation of y distance should be based upon evidence of lower vehicle speeds at and in the vicinity of the proposed site access. The applicant is offered the opportunity to use observed vehicle speeds to identify appropriate visibility splay.</p> <p><b>NOTED</b></p> <p>Service bay is a requirement to enable visiting vehicles to park clear of the public road, this may be on a fast two-lane road in a rural area or on a single track road within a settlement where a vehicle stopped will cause an obstruction. Each application will be assessed individually.</p> <p><b>NOT ACCEPTED</b></p> <p>The issue arises where gates are proposed for a new development. The distance is required to ensure that vehicles are not obstructing the road or causing a hazard.</p> <p><b>NOT ACCEPTED</b></p> <p>The longer the distance between the property and the public road there is an increased likelihood for vehicles to pick up dirt and mud. The section of surfaced road provides a mechanism to clear the dirt prior to joining the public road and will also, where required, provide the length of the widened access where two vehicles can readily pass each other.</p> <p><b>NOT ACCEPTED</b></p> <p>Document is to provide guidance and give advance warning to developers/applicants that a passing place may be required – prior to an application. Through the new Service</p>

APPENDIX 2

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	<p>Contribution Team. (item 5.4.1)</p> <p>Suggested that car parking provision should be in line with current Council policy. This is also in line with the policies for Highland Council and Aberdeenshire Council.</p>	<p>Level Agreement (SLA) with Aberdeenshire Council developer contributions will be managed. This section of the document will be amended to reflect the SLA. The details are yet to be finalised.</p> <p><b>ACCEPTED</b> - change the document to reflect the Service Level Agreement</p> <p>The requirement for houses with 5 or more bedrooms to provide 4 parking spaces was put forward to deal with the anticipated number of vehicles for this scale of development. This is not consistent with the current parking standards</p> <p><b>ACCEPTED</b> – amend text to reflect parking standards</p>
<p><b>Group Urban Animation</b></p>	<p>Confirmation requested that contribution towards demand responsive transport services would be subject to an assessment of accessibility to existing public transport routes and not a blanket charge. (item 4.5)</p> <p>Confirmation requested for service bay provision as to whether there is scope for a flexible approach. The cumulative effect of several in close proximity might undermine rural character. (item 5.1.1)</p> <p>Suggested that there may be a danger in over engineering rural roads to the point that vehicle speeds increase. There is an argument that navigating rural roads should not necessarily be seamless. With the exception of key rural roads which might be identified in a further appendix there should be flexibility based on local circumstances.</p>	<p>If site is within 400 metres of existing public transport service then contribution would not be required. Measurable impact is the lack of access to rural transport in accordance with PAN75. The developer contribution reflects MLP 2008 Policy IMP3. It is intended to overcome the obstacle that would otherwise lead to a recommendation for refusal. Through the new Service Level Agreement with Aberdeenshire Council developer contributions will be managed.</p> <p><b>NOTED</b></p> <p>Where properties are adjacent, and parties are agreeable, service bays can be shared across two accesses (12.0m long bays).</p> <p><b>NOTED</b></p> <p>Policy T2 states that a safe and suitable access is required to serve new development. The provision of a new access onto the public road or the intensification of use of an existing sub-standard access requires the provision of an appropriate visibility splay – in order that vehicles can enter and exit safely. For single track roads with limited passing places, additional passing places will be sought to accommodate additional traffic as a result of development, as there would be a greater potential for</p>

APPENDIX 2

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	<p>Suggested that the distance restrictions for locating new accesses is excessive as target standards and that this does not reflect the current position with many access points (item 5.1.5)</p> <p>Suggests that provision of new passing places be subject to local circumstances, and where there are already adequate passing places there is no justification for requesting additional provision as standard.</p> <p>Suggests that the visibility splay requirements of 2.4m depth for a single house should also be permissible for more than one dwelling sharing the same access. Having separate accesses increases the number of service bays and therefore increases the number of service vehicle movements pulling off and re-entering the carriageway.</p>	<p>conflict/damage to roadside verges as two vehicles pass each other. <b>NOTED</b></p> <p>Distances are identified in order to ensure the key safety objective – acceptable junction spacing from existing junctions and accesses. Each application will be assessed individually. <b>NOT ACCEPTED</b></p> <p>Through the new Service Level Agreement with Aberdeenshire Council developer contributions in respect of passing places will be managed. Moray Council will be expected to deliver passing place within a reasonable time period. A technical evaluation will be undertaken. <b>NOT ACCEPTED</b></p> <p>The x-distance is based on the traffic movements from the direct access road. A development of more than one dwelling will have a significantly increased likelihood of larger delivery vehicles or 2 or more vehicles joining the public road at the same time. The increased x-distance is required to ensure emerging drivers using the direct access to have adequate visibility in each direction to see oncoming traffic in sufficient time to make their manoeuvre safely without influencing the major road traffic. <b>NOT ACCEPTED</b></p>