

KIRKLEES COUNCIL
LIST OF PLANNING APPLICATIONS DECIDED BY
STRATEGIC PLANNING COMMITTEE
8 SEPTEMBER 2016

APPLICATION NO. DESCRIPTION, LOCATION OF PROPOSAL AND DECISION

2016/90894

Juan Torres, Barnes Homes - Erection of 5 no. units -
Rawfolds Way, Cleckheaton

DEFERRED (THE COMMITTEE RESOLVED TO DEFER THE CONSIDERATION OF THE APPLICATION AND REQUESTED THAT OFFICERS FURTHER NEGOTIATE WITH THE DEVELOPERS IN REGARDS TO NOISE LIMITATION PROW IMPROVEMENTS AND SEPARATION DISTANCE FROM 3 SHIRLEY VILLAS, IN ADDITION TO THE POSSIBILITY OF RETAINING MATURE TREES BETWEEN PLOT 5 AND 3 SHIRLEY VILLAS

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Armer, D Firth, S Hall, Pattison, A Pinnock and Sokhal (6 Votes)

AGAINST: (No Votes)

2016/91158

Barratt and David Wilson Homes - Erection of 87 dwellings and demolition of existing working mens club - Flockton Green Working Mens Club, Barnsley Road, Flockton, Huddersfield

DELEGATE AUTHORITY TO OFFICERS TO GRANT CONDITIONAL FULL PLANNING PERMISSION SUBJECT TO:

(1) THE APPLICANT AND THE COUNCIL ENTERING INTO A S106 OBLIGATION TO SECURE:

- (i) THE PROVISION OF AFFORDABLE HOUSING
- (ii) THE PAYMENT OF AN EDUCATION CONTRIBUTION
- (iii) THE PAYMENT OF AN OFF-SITE POS COMMUTED SUM
- (iv) THE PROVISION OF THE CAR PARK FOR THE NEW WORKING MEN'S CLUB
- (v) WORKS/FINANCIAL CONTRIBUTION TO UPGRADE EXISTING SURFACE WATER DRAINAGE INFRASTRUCTURE SERVING THE DEVELOPMENT

(2) THE IMPOSITION OF APPROPRIATE PLANNING CONDITIONS, WHICH MAY INCLUDE THOSE MATTERS LISTED BELOW; AND,

(3) THERE BEING NO MATERIAL CHANGE IN CIRCUMSTANCES, TO ISSUE THE DECISION.

(1) The development hereby permitted shall be begun within three years of the date of this permission.

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(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

(3) Samples of the facing materials for the dwellings shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of any of the dwellings commences. The dwellings shall be constructed of the approved materials and thereafter retained as such.

(4) The submission and approval of a phasing and management plan for the construction of the development that provides a serviced plot with car park on the new site for the WMC

(5) Submission and approval of a Construction Environment Management Plan and a Landscape and Environmental Management Plan.

(6) Submission and approval of details of internal and external boundary treatment for the site

(7) Details of the responsibilities for the maintenance and management of the watercourse adjacent to the western site boundary where it falls within the application site

(8) Submission and approval of full details of the proposed surface water drainage strategy for the site

(9) Submission and approval of a temporary drainage plan

(10) Submission and approval of a flood routing plan

(11) Lockable gates to the rear of plots 74-76

(12) The submission and approval of a scheme of intrusive site investigations for the mine entries and high wall including:

- The submission of a scheme of intrusive site investigations for the shallow coal workings for approval;
- The undertaking of both of those schemes of intrusive site investigations;
- The submission of a report of findings arising from both of the intrusive site investigations, including the results of any gas monitoring undertaken;
- The submission of a scheme of treatment for the recorded mine entries for approval;
- The submission of a scheme of remedial works for the shallow coal workings for approval;
- The implementation of those remedial works.

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(13) Condition requiring the reporting of any unexpected contamination that may be encountered during development

(14) Before development commences a report specifying the measures to be taken to protect the development shall be submitted to and approved in writing by the LPA

The report shall

- (i) Determine the existing noise climate
- (ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development.
- (iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

Unless otherwise agreed in writing with the LPA the development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

(15) Before development commences, a scheme to show how the development shall incorporate facilities for charging plug-in electric vehicles shall be submitted to and approved in writing by the LPA. All works which form part of the approved scheme shall be completed prior to occupation of the development.

(16) Before development commences, the wall to the site frontage shall be set back to the rear of the proposed visibility splays as shown on approved plan number FL-PL/01 rev H and shall be cleared of all obstructions to visibility and tarmac surfaced to current standards in accordance with details that have previously been approved in writing by the Local Planning Authority.

(17) No development shall take place until a scheme detailing the proposed internal adoptable estate roads and pedestrian links to Flockton Primary school to the east and the land to the north have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audits covering all aspects of work. Before any building is brought into use the scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

(18) Prior to development commencing, a detailed scheme for the provision of footway widening works and improvements to the

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zebra crossing on Barnsley Road with associated signing and white lining shall be submitted to and approved in writing by the LPA. The scheme shall include construction specifications, white lining, signing, surface finishes together with an independent Safety Audits covering all aspects of the work. Unless otherwise agreed in writing by the LPA, all of the agreed works shall be implemented before any part of the development is first brought into use.

(19) Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the LPA. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. All construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

(20) The steps providing the access to the urban greenspace to the north are hereby not approved. Revised details to be submitted and approved in writing.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors S Hall, A Pinnock, Pattison and Sokhal
(4 Votes)

AGAINST: Councillors D Firth (1 Vote)

ABSTAINED: Councillor Armer

2016/91464

Mark Jones, Barratt and David Wilson Homes - Erection of club with flat above - Flockton Green Working Mens Club, Barnsley Road, Flockton, Huddersfield

GRANT CONDITIONAL FULL PERMISSION SUBJECT TO THE DELEGATION OF AUTHORITY TO OFFICERS TO IMPOSE ALL NECESSARY AND APPROPRIATE CONDITIONS AND ISSUE THE DECISION

(1) The development hereby permitted shall be begun within three years of the date of this permission.

(2) The development hereby permitted shall be carried out in complete accordance with the plans and specifications listed in this decision notice, except as may be specified in the conditions

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attached to this permission, which shall in all cases take precedence.

(3) Samples of the facing materials for the club building shall be submitted to and approved in writing by the Local Planning Authority before works to construct the superstructure of the building commences. The building shall be constructed of the approved materials and thereafter retained as such.

(4) Full details of all retaining walls to be submitted to and approved in writing by the Local Planning Authority

(5) Provision of the proposed sightlines and car park

(6) A scheme detailing the proposed means of disposal of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority before development commences

(7) Provision of bat and/or bird boxes on the building

(8) Native planting of shrubs as part of the proposed soft landscaping

(9) Submission and approval of details of treatment of the eastern and western side boundaries

(10) Scheme to limit noise emitting from the club building to protect the amenity of surrounding residential properties

(11) No further windows in the rear elevation of the club to be formed without the prior written consent of the LPA

(12) The submission and approval of a scheme of intrusive site investigations for the shallow coal workings including a scheme of remedial works for the shallow coal workings as necessary

(13) Restriction on the hours of operation of the WMC

(14) Details of the ramp access to the housing development to be submitted for approval

(15) Revised details of the location of the proposed bin store and smoking shelter to be submitted for approval

(16) Details of the timings and arrangements for the use of the car park for drop off and pick up of school children to be submitted and agreed in writing with the Local Planning Authority.

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2016/91464 Cont'd	<p>A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;</p> <p>FOR: Councillors Armer, D Firth, S Hall, Pattison, A Pinnock and Sokhal (6 Votes)</p> <p>AGAINST: (No Votes)</p>
2016/90138	<p>M Hall, Millpark Construction Ltd - Outline application for erection of residential development - Land at, Lancaster Lane, Brockholes, Holmfirth</p> <p>CONDITIONAL OUTLINE APPROVAL SUBJECT TO DELEGATION TO OFFICERS</p> <p>DELEGATE AUTHORITY TO OFFICERS TO GRANT CONDITIONAL OUTLINE PLANNING PERMISSION SUBJECT TO</p> <p>(i) the imposition of all necessary and appropriate conditions and the completion of the submitted S106;</p> <p>(ii) there being no substantial changes, issue the decision.</p> <p>(1) Approval of the details of the scale, appearance, layout and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.</p> <p>(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the scale, appearance, layout and landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.</p> <p>(3) Application for approval of any reserved matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</p> <p>(4) The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.</p> <p>(5) Details of 'scale' submitted pursuant to condition 1 shall include details of: the existing site levels; the finished floor levels of each dwelling together with corresponding finished ground levels.</p>

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(6) Development shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) has been submitted to and approved in writing by the Local Planning Authority.

(7) Where further intrusive investigation is recommended in the Preliminary Risk Assessment approved pursuant to condition 8 development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority.

(8) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 9 development shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

(9) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 10. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the Local Planning Authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

(12) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

(13) Development shall not commence until a scheme restricting the rate of surface water discharge from the site to a maximum

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of 70% of the existing pre-development flow rate, has been submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30 year storm event as a minimum requirement. Flows between the critical 1 in 30 or critical 1 in 100 year storm events shall be stored on site in areas to be approved in writing by the Local Planning Authority unless it can be demonstrated to the satisfaction of the Local Planning Authority that discharge from site does not cause an increased risk in flooding elsewhere. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no part of the development shall be brought into use until the flow restriction and attenuation works comprising the approved scheme have been completed. The approved maintenance and management scheme shall be implemented thereafter.

(14) No building or other obstruction shall be located over or within 3.0 (three) metres either side of the centre line of the sewers and water main, which cross the site boundary.

(15) Prior to occupation of the dwellings, in all residential units that have a dedicated parking area and/or a dedicated garage, an electric vehicle recharging point shall be installed. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. In residential units that have unallocated parking spaces then before occupation of these units at least one electric vehicle recharging point per ten properties with the above specification shall be installed. The electric vehicles charging points so installed shall thereafter be retained.

(16) Details of a scheme for the provision of bird and bat boxes to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings are first occupied. The approved bat and bird boxes shall be provided before any of the dwellings to which they relate are first occupied and shall be retained thereafter.

(17) No development shall take place until a scheme detailing the proposed internal adoptable estate roads including works to the public footpath and measures to restrict vehicle access to New Mill Road via Lancaster Lane have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full sections, drainage works, street lighting, signing, surface finishes and the treatment of sight lines, together with an independent safety audit covering all aspects of work. Before any building is brought into use the

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scheme shall be completed in accordance with the scheme shown on approved plans and retained thereafter.

(18) No development shall take place until the design and construction details of all temporary and permanent highway retaining structures within the site have been approved in writing by, the Local Planning Authority. The details shall include a design statement, all necessary ground investigations on which design assumptions are based on, method statements for both temporary and permanent works and removal of any bulk excavations, a full slope stability analysis together with structural calculations and all associated safety measures for the protection of adjacent public highway, footpath and retaining wall. All highway retaining structures shall be designed and constructed in accordance with the approved details and shall be so retained thereafter.

(20) Prior to the development being brought into use, the approved vehicle parking areas shall be surfaced and drained in accordance with the Communities and Local Government; and Environment Agency's 'Guidance on the permeable surfacing of front gardens (parking areas)' published 13th May 2009 (ISBN 9781409804864) as amended or superseded; and thereafter retained.

(21) Notwithstanding the requirements of condition 1 pertaining to the 'landscaping' of the site, details of the treatment of the site boundary between Lancaster Lane and the adjacent residential properties on River Holme View shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use. The boundary treatment shall be designed to limit light spill into the adjoining gardens. The boundary treatment so approved shall be provided before the development is first occupied and thereafter retained

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Armer, S Hall, A Pinnock, Pattison and Sokhal (5 Votes)

AGAINST: Councillor D Firth (1 Vote)

2014/91831

P Cryan, Hartley Quality Homes - Outline application for erection of 60 dwellings, formation of access public space and associated infrastructure - Cockley Hill Lane, Kirkheaton, Huddersfield

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2014/91831 Cont'd

GRANT CONDITIONAL OUTLINE PLANNING PERMISSION
SUBJECT TO DELEGATION OF AUTHORITY TO OFFICERS
TO:

(1) REFER THE APPLICATION TO THE HEALTH AND SAFETY EXECUTIVE UNDER SECTION 9 OF THE PLANNING PRACTICE GUIDANCE NOTE. SHOULD THE HEALTH AND SAFETY EXECUTIVE NOT INTERVENE THEN:

(2) SECURE A SECTION 106 OBLIGATION TO DELIVER:

- THE PROVISION OF AFFORDABLE HOUSING
- AN EDUCATION CONTRIBUTION
- POS ON SITE AND A FINANCIAL CONTRIBUTION TO IMPROVE OFF SITE POS

(3) IMPOSE ALL NECESSARY AND APPROPRIATE CONDITIONS WHICH MAY INCLUDE THOSE BELOW; AND

(4) SUBJECT TO THERE BEING NO CHANGES WHICH MATERIALLY AFFECT THIS RECOMMENDATION ISSUE THE DECISION NOTICE

(1) Approval of the details of the layout, scale, appearance and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

(2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the layout, scale and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out in full accordance with the approved plans.

(3) Application for approval of any reserved matter shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

(4) The development hereby permitted shall be begun either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

(5) Development shall not commence until a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the local planning authority.

(6) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 5, development shall not commence until a Remediation Strategy has been submitted to and approved in

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writing by the local planning authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

(7) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 6. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the local planning authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

(8) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remediation measures for the whole site have been completed in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the local planning authority.

(9) Development shall not commence until a scheme detailing the layout, construction and specification of the highway works; at the site access junction with Cockley Hill Lane (with reference to drawing no. 702A/01) and all associated highway works, and the appropriate Road Safety Audit, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until all the works under the approved scheme have been carried out and completed in accordance with the approved scheme and thereafter retained throughout the lifetime of the development.

(10) The development shall not be brought into use until visibility splays of 2.4m x 48.5m and 2.4m x 46.6m in the northwest and southeast direction at Cockley Hill Lane at the site access junction in which there shall be no obstruction to visibility above the level of the adjacent footway as indicated on the approved plan have been completed. Thereafter, the visibility splays shall be retained throughout the lifetime of the development.

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(11) Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include the point of access for construction traffic, details of the times of use of the access, the routing of construction traffic to and from the site, construction workers parking facilities and the provision, use and retention of adequate wheel washing facilities within the site. Thereafter all construction arrangements shall be carried out in accordance with the approved schedule throughout the period of construction.

(12) The development shall not commence until an assessment of the effects of 1 in 100 years storm events, with an additional allowance for climate change, upon drainage infrastructure and surface water run off pre and post development between the development and the surrounding area in all directions shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed and the approved scheme shall be retained throughout the lifetime of the development.

(13) Notwithstanding the submitted detail, no development shall commence until details of the on-site surface water attenuation have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought into use until the works comprising the approved scheme have been completed and such approved scheme shall be retained thereafter throughout the lifetime of the scheme.

(14) Unless otherwise agreed in writing by the local planning authority, no building or other obstruction shall be located over or within 3 metres either side of the centre line of the sewer (i.e. a total protected strip width of 6 metres that crosses the site).

(15) The site shall be developed with separate systems of drainage for foul and surface water on and off site.

(16) No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall for surface water have been completed in accordance with details to be submitted to and approved by the local planning authority before development commences

(17) No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off -site works, have been submitted to and approved by the local planning authority. Furthermore, no buildings shall be occupied or

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brought into use prior to completion of the approved foul drainage works.

(18) Prior to the commencement of development, details of a bio-diversity habitat enhancement scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall include details and potential locations for bat / bird roost opportunities within the new development and surrounding retained trees. The approved scheme shall be implemented prior to the first occupation of any dwellings / plots containing such opportunities.

(19) Prior to occupation of any dwellings, electric vehicle recharging points shall be installed for each dwelling with a garage and / or 1 point for every 10 dwellings with communal car parking in accordance with a specification which shall first have been submitted to and agreed in writing by the Local Planning Authority.

(20) The development shall not commence until a scheme detailing the Qualitative Audit brief , methodology, and schedule for the delivery of the Qualitative Audits recommendations for the assessment of the pedestrian routes, desire lines, and crossing points(formal and informal) along Cockley Hill Lane(site access to Town Road/ Heaton Road), Town Road, and Town Road/ Heaton Moor Road/ Cockley Hill Lane/ Moorside Road junction has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved scheme has been implemented, and thereafter maintained.

A RECORDED VOTE WAS TAKEN IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 42(5) AS FOLLOWS;

FOR: Councillors Armer, D Firth, S Hall, Pattison, A Pinnock and Sokhal (6 Votes)

AGAINST: (No Votes)