

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 23/10/17 – 30/10/17

N.B. If your area is not shown in the list below, this is due to no notifications being recorded/ applications decided in your area for the specified period.

Argyll, Skye & Lochalsh, South and West Inverness

Croft: 7 East Suisinish
Parish: Portree
Reg No: I3262
Case Number: 80430
Application Type: Decrofting – Part Croft

Decision – Approved		Extent: 0.133 ha
Grounds for Decision		
Having considered all of the available information, the Commission is satisfied this application is for a reasonable purpose and that the extent of the land applied for is not excessive in relation to that purpose. The Commission has therefore agreed to grant the Direction as requested.		
Conditions of Direction		
Purpose:	Site for a proposed dwellinghouse.	
Enclosure of area:	The land must as a first change of use, be used, let or disposed of as a dwellinghouse. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of development being completed. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Caithness, Orkney & Shetland

Croft: Lea
Parish: Aithsting
Reg No: Z1582
Case Number: 83117
Application Type: Assignment

Decision – Approved	
Grounds for Decision	
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.	

Croft: **Westgate**
Parish: **Aithsting**
Reg No: **Z3025**
Case Number: **79233**
Application Type: **Sublet**

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: **North Gluss**
Parish: **Northmavine**
Reg No: **Z1264**
Case Number: **82787**
Application Type: **Assignment**

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: **Johnsfield, Sellafirth, Yell**
Parish: **Yell**
Reg No: **Z2805**
Case Number: **81789**
Application Type: **Letting**

Decision – Approved
Grounds for Decision
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.

Croft: **Houster**
Parish: **Northmavine**
Reg No: **Z1337**
Case Number: **82450**
Application Type: **Decrofting – part croft – in advance purchase**

Decision – Approved		Extent: 0.109 ha
Grounds for Decision		
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.		
Conditions of Direction		
Purpose:	The land must as a first change of use, be used, let or disposed of as the site of a camping barn and new dwellinghouse.	
Enclosure:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed.	
Additional Conditions:	That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Highland (excl Caithness)

Croft: **174 Strathmoreskerra**
Parish: **Tongue**
Reg No: **S2079**
Case Number: **81165**
Application Type: **Assignment**

Decision – Approved	
Grounds for Decision	
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.	

Croft: **177 Strathmoreskerra**
Parish: **Tongue**
Reg No: **S2082**
Case Number: **81161**
Application Type: **Assignment**

Decision – Approved	
Grounds for Decision	
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.	

Western Isles

Croft: **West Earshader**
Parish: **Uig**
Reg No: **R6217**
Case Number: **82393**
Application Type: **Decrofting – croft house site and garden ground –
in advance of purchase**

Decision – Approved		Extent: 0.175 ha
Grounds for Decision		
The Commission has considered the application under section 25(4) of the (Scotland) Act 1993 to decroft the croft house site and garden ground extending to 0.175 hectares and, under sections 24(3) and 25(1)(b) of the 1993 Act, gives a direction. The Commission is satisfied on the available evidence that the site consists only of the dwellinghouse on or pertaining to the croft. The Commission is further satisfied that the extent of the garden ground included in the application is appropriate for the reasonable enjoyment of the dwellinghouse as a residence.		
Conditions of Direction		
Enclosure of area:	With a stockproof fence within four months of acquisition.	
Additional Conditions:	Fence to be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: **3 Tarbert**
Parish: **Harris**
Reg No: **I2036**
Case Number: **80120**
Application Type: **Division of Croft Tenancy**

Decision – Approved	
Grounds for Decision	
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.	

Croft: **24a Swordale**
Parish: **Stornoway**
Reg No: **R4627**
Case Number: **81025**
Application Type: **Assignment**

Decision – Approved	
Grounds for Decision	
The application provided us with all necessary information to take a decision and is in line with the Commission Plan and Policy Guidance. We are therefore satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or have an adverse effect on the sustainable development of the crofting community.	

Croft: 16 Upper Bayble
Parish: Barvas
Reg No: R3697
Case Number: 80723
Application Type: Decrofting – croft house site and garden ground

Decision – Approved		Extent: 0.108 ha
Grounds for Decision		
<p>The Commission has considered the application under section 24(3), section 25(1)(b) and section 25(4) of the Crofters (Scotland) Act 1993 to decroft the croft house site and garden ground and has decided to grant a decrofting Direction, extending to 0.108 ha, on the following grounds:</p> <p>The Commission is satisfied on the available evidence that the site consists only of the dwellinghouse on or pertaining to the croft.</p>		
Conditions of Direction		
Enclosure of area:	With a stockproof fence within four months of the date of the Direction.	
Additional Conditions:	Fence to be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: 12 Sandwick
Parish: Stornoway
Reg No: R4425
Case Number: 83863
Application Type: Consent to be absent

Decision – Approved	
Grounds for Decision	
<p>The Crofting Commission gives its consent to an absence from 28 August 2017 to 28 August 2020, to the crofter living outwith 32km of her croft, due to family employment commitments, on the following grounds:</p> <p>We are satisfied on the available evidence that there is good reason for the crofter not to be ordinarily resident on, or within 32km of, the croft.</p> <p>The consent provided does not relieve the crofter of her duty to cultivate and maintain the croft or – with the landlord's consent, put the croft to a purposeful use. We therefore recommend that the crofter should put in place arrangements to ensure cultivation of the croft, if she has not done so already. If she does not cultivate and maintain the croft, or put it to a purposeful use, she will be in breach of her duties under sections 5B and 5C of the Crofters (Scotland) Act 1993. The Commission is empowered to take action to enforce these duties under sections 26A to 26K of the 1993 Act.</p>	

Croft: **8b Shuilishader**
Parish: **Stornoway**
Reg No: **R4556**
Case Number: **81830**
Application Type: **Decrofting – Part Croft**

Decision – Approved		Extent: 0.117 ha
Grounds for Decision		
<p>The Commission has considered your application under sections 24(3) and 25(1)(a) and 25(4) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to decroft part of the croft, being the site of an existing dwellinghouse and barn, extending to 0.117 ha, on the following grounds:</p> <ul style="list-style-type: none"> • Under section 25(1)(a) of 1993 Act, the application is considered to be for a reasonable purpose (within the meaning of section 20 of the Act) and is not excessive in relation to the stated purpose; • Paragraph 67 of The Crofting Commission’s Policy Plan, states that: <i>“When considering applications, the Commission will wish to ensure that suitable access arrangements are provided for any croft land”</i>. The Commission determined that there are no issues with access to the remainder of the croft or any other croft land. 		
Conditions of Direction		
Purpose:	Site of an existing dwellinghouse.	
Enclosure of area:	<p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>	

Croft: **14b Tarbert**
Parish: **Harris**
Reg No: **I2044**
Case Numbers: **82467**
Application Type: **Subletting**

Decision – Approved	
Grounds for Decision	
<p>Having considered all of the available information, the Commission is satisfied that the application does not adversely affect the interests of the estate, the crofting community, the public at large or will have an adverse effect on the sustainable development of the crofting community and the application has been granted.</p>	
<p>The sublet of the part croft will be for the fixed period of 10 years.</p>	