

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 13/11/17 – 20/11/17

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: 5 Drynoch
Parish: Bracadale
Reg No: I0713
Case Number: 77422
Application Type: Division

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.

Caithness, Orkney & Shetland

Croft: Moul of Levenwick
Parish: Sandwick
Reg No: Z0506
Case Number: 81369
Application Type: Decrofting – part croft

Decision – Approved	Extent: 0.002 ha
Grounds for Decision	
The Commission has considered your application under section 24(3) and 25(1)(a) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to decroft part of the croft and decided to grant a decrofting Direction, extending to 0.002 ha, on the following grounds:	
Under section 25(1)(a) of the Act, the application, for the provision of a site for a wind turbine, is considered to be for a reasonable purpose (within the meaning of section 20 of the Act).	
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> . There are no issues with access to the site or the remainder of the croft land.	
Conditions of Direction	
Purpose:	To provide a site for wind turbine.
Enclosure:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the completion of the development. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.

Croft: 1 Forss
Parish: Thurso
Reg No: C0869
Case Number: 83581
Application Type: Short Term Let

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. 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.
The period of sublet shall be for 10 years.

Croft: Fleck
Parish: Dunrossness
Reg No: Z0390
Case Number: 78410
Application Type: Decrofting – part croft

Decision – Approved	Extent: 0.078 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:	To provide a site for amenity ground.
Enclosure:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.

Croft: Quee
Parish: Cunningsburgh
Reg No: Z0708
Case Number: 82209
Application Type: Decrofting – part croft

Decision – Approved	Extent: 0.1092 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:	To provide a site for a proposed new dwellinghouse
Enclosure:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the completion of the development. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.

Highland (excl Caithness)

Croft: **Ardindrean (Apportionment)**
Parish: Lochbroom
Reg No: R6088
Case Number: 78661
Application Type: Decrofting – part croft

Decision – Approved		Extent: 0.238 ha
Grounds for Decision		
<p>The Commission has considered the application under sections 24A and 25(1)(a) of the Crofters (Scotland) Act 1993 to decroft an area initially extending to 0.315 ha for a site for two dwellinghouses. Following the applicant’s agreement to modify the area applied for, the Commission has decided to grant a modified decrofting Direction for an area extending to 0.238 ha on the following grounds:</p> <ul style="list-style-type: none"> • The Commission is satisfied on the available evidence that the application is 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>. Following modification, the Commission are satisfied that here are no issues with access to the site or the remainder of the croft land. • No objections were received to public advertising of the application. • There was no evidence to suggest that granting the modified direction would adversely affect either the croft or the crofting community in the locality of the croft. 		
Conditions of Direction		
Purpose:	Sites for two dwellinghouses	
Enclosure:	Within 4 months of completion of the development	

Croft: **242 Torrisdale**
Parish: Tongue
Reg No: S2115
Case Number: 80539
Application Type: Decrofting – croft house site and garden ground

Decision – Approved		Extent: 0.177 ha
Grounds for Decision		
<p>The Commission has considered your application under section 24A(1) and section 25(1)(b) of the Crofters (Scotland) Act 1993 to decroft the croft house site and garden ground extending to 0.177 ha hectares and gives a Direction.</p> <p>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.</p> <p>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 although the existing croft access is included in the site being decrofted, the applicant gave an undertaking to establish an alternative suitable croft access therefore the Commission is satisfied that there will be no issues with access to the remainder of the croft or any other croft land.</p>		
Conditions of Direction		
Enclosure of area:	<ol style="list-style-type: none"> 1. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of this Direction. 2. That fence shall be maintained in good order and repair by each successive owner or occupier of the land. 	

Western Isles

Croft: 5 Luskintyre
Parish: Harris
Reg No: I1780
Case Number: 82121
Application Type: Decrofting – Part Croft

Decision – Approved		Extent: 0.166 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 outbuilding, extending to 0.166 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:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: 4 Lower Bayble
Parish: Barvas
Reg No: R3625
Case Number: 82726
Application Type: Assignment

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>	

Croft: **9 Eorodale**
Parish: **Barvas**
Reg No: **R0669**
Case Number: **82562**
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: **221 Bruernish**
Parish: **Barra**
Reg No: **I0315**
Case Number: **83509**
Application Type: **Assignment**

Decision – Approved
Grounds for Decision
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.

Croft: **8 Kallin**
Parish: **North Uist**
Reg No: **I4445**
Case Number: **83692**
Application Type: **Decrofting – Part Croft**

Decision – Approved	Extent: 0.175 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 dwellinghouse.
Enclosure of area:	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.

Croft: 7b Upper Aird
Parish: Stornoway
Reg No: R3543
Case Number: 83979
Application Type: Assignation

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: 39A Balallan
Parish: Lochs
Reg No: R2926
Case Number: 80684
Application Type: Decrofting – croft house site and garden ground – in advance of purchase

Decision – Approved	Extent: 0.099
Grounds for Decision	
The Commission has considered the application under section 25(4) of the Crofters (Scotland) Act 1993 to decroft the croft house site and garden ground extending to 0.099 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: 1 Lemreway (chsgg only)
Parish: Lochs
Reg No: R6672
Case Number: 80353
Application Type: Decrofting – croft house site formerly pertaining to the above croft and feued under section 18 of the Crofters (Scotland) Act 1955.

Decision – Approved	Extent: 0.137 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.	