

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 04/12/17 – 11/12/17

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: Part 1 Calligary
Parish: Sleat
Reg No: I3333
Case Number: 80133
Application Type: Decrofting – Part Croft

Decision – Approved		Extent: 0.132 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 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 the development being completed. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: 3 Inchree (Share)
Parish: Kilmallie
Reg No: I7282
Case Number: 83371
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.	

Caithness, Orkney & Shetland

Croft: ½ Dandigarth
Parish: Cunningsburgh
Reg No: Z0388
Case Number: 83682
Application Type: Decrofting – part croft

Decision – Approved		Extent: 0.031ha
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:		
Enclosure of area:	1. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of the Direction. 2. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	
Additional Conditions:	The Direction will expire on 4 March 2018 unless an application for registration is received. The Direction will take effect on the date it's Registered	

Croft: Dale
Parish: Delting
Reg No: Z0213
Case Number: 83296
Application Type: Division by Tenant

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.	

Highland (excl Caithness)

Croft: **Gruids (glencoe) (Share)**
Parish: **Lairg**
Reg No: **S3003**
Case Number: **78986**
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: **6b Drumbuie**
Parish: **Lochalsh**
Reg No: **R2294**
Case Number: **73365**
Application Type: **Apportionment**

Decision – Approved	Extent: 0.004797 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.	
Purpose	
Existing agricultural building.	
Conditions	
(FIRST) The souming for the said croft in the said common grazing shall remain as hitherto, that is three cows and 6 sheep. (SECOND) Your liability for township expenses including the expenses incurred by the Committee in maintaining the said common grazing and in providing, maintaining and replacing any fixed equipment required in connection therewith, shall, notwithstanding remain as hitherto (that is to say, based on the original souming) but you may apply to the said Grazing Committee for modification of your liability for township obligations and if you are dissatisfied with the decision of the said Grazing Committee you can make representations to the Crofting Commission. (THIRD) The apportionment is granted on the understanding that the area apportioned is for your own exclusive use. (FOURTH) All existing rights of access over the area apportioned shall be reserved.	

Croft: **25 Badnaban**
Parish: **Assynt**
Reg No: **S0044**
Case Number: **80108**
Application Type: **Decrofting – Part Croft – advance of purchase**

Decision – Approved		Extent: 0.144 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:	The land must as a first change of use, be used, let or disposed of as the 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 the development being completed. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: **Easter Oape**
Parish: **Kincardine**
Reg No: **R6094**
Case Number: **76246**
Application Type: **Decrofting – croft house site and garden ground**

Decision – Approved		Extent: 0.149 ha
Grounds for Decision		
Having considered all of the available information, the Commission is satisfied as required by the Crofters (Scotland) Act 1993 that the site consists only of the dwelling-house on or pertaining to the croft and that the extent of the garden ground is appropriate for the reasonable enjoyment of the dwelling-house as a residence and has agreed to grant the Direction as requested.		

Croft: **10 Wester Baddarroch**
Parish: **Kincardine**
Reg No: **R2086**
Case Number: **84697**
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: 219 Doll (shares)
Parish: Clyne
Reg No: S2327
Case Number: 80105
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: 13 Scouriemore
Parish: Eddrachilles
Reg No: S0975
Case Number: 65842
Application Type: Decrofting – croft house site and garden ground

Decision – Approved	Extent: 0.067 ha
Grounds for Decision	
Having considered all of the available information, the Commission is satisfied as required by the Crofters (Scotland) Act 1993 that the site consists only of the dwellinghouse on or pertaining to the croft and that the extent of the garden ground is appropriate for the reasonable enjoyment of the dwellinghouse as a residence and has agreed to grant the Direction as requested.	

Croft: 84 Brae
Parish: Urquhart & Logie Wester
Reg No: R5592
Case Number: 80769
Application Type: Decrofting – part croft

Decision – Approved	Extent: 0.209ha
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:	House site and garden ground
Conditions:	<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 date of the direction. 2. That fence must be maintained in good order and repair by each successive owner or occupier of the land.

Croft: 162 Armadale
Parish: Farr
Reg No: S1050
Case Number: 81082
Application Type: Assignment

Decision – Approved

Grounds for Decision

The Commission has considered the application to assign the tenancy of the croft at 162 Armadale, Farr under section 8 of the Crofters (Scotland) Act 1993 (“the 1993 Act”) and has **approved** the application on the following grounds:-

We have had regard to whether the proposed assignee will be ordinarily resident on, or within 32 kilometres, of the croft and are satisfied from the available evidence that the assignee will be in a position to comply with the residency duty.

We have had regard to whether the croft will be cultivated or put to a purposeful use under section 5C(4) of the 1993 Act and are satisfied from the available evidence that the proposed assignee will cultivate the croft. We are satisfied that obtaining the tenancy of the croft 162 Armadale will be a valuable addition to the crofts/land already farmed by Mr Cook.

We have received no objection from the landlord/ estate in respect of the land to which the application relates and do not therefore consider on the available evidence that the interests of the estate will be adversely affected.

We have received no objections from any members of the crofting community. The Commission considers on the available evidence that the consent hereby provided will not have an adverse effect on the interests of the crofting community in the locality of the croft or on the sustainable development of that crofting community.

We are satisfied on the available evidence that the approval of the assignment will not adversely affect the interests of the public at large.

We have not received any other objections under subsection (4) or (5A) of section 58A of the 1993 Act, nor were any expressions of demand received in respect of the tenancy of the croft.

We have had regard to the Commission’s Policy Plan and are satisfied that the consent hereby provided is consistent with our Policy Plan.

In exercising our regulatory functions, the Commission must have regard to the desirability of supporting population retention in the crofting counties. The available evidence indicates that the consent hereby provided will likely have a neutral impact upon population retention in the locality.

Croft: 6a Drumbuie
Parish: Lochalsh
Reg No: R2303
Case Number: 73369
Application Type: Apportionment

Decision – Approved	Extent: 0.010467 ha
Grounds for Decision	
<p>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.</p>	
Purpose	
Existing agricultural building.	
Conditions	
<p>(FIRST) The apportionment must be fenced in accordance with the attached map. If you find it is not possible to enclose the area with a stockproof fence in terms of the attached map, you must complete the fencing within the line of apportionment. You must not encroach onto the unapportioned common grazing land. However, if there are any unforeseen physical constraints which prohibit from enclosing on or within the agreed fence line you may seek a review of the condition.</p> <p>(SECOND) You and your successors shall in all time coming maintain in a stockproof condition any new fences and gates erected to complete the enclosure of the said area of ground and that without prejudice to any liability they may have for the maintenance of any other fences and gates bounding the said area of ground.</p> <p>(THIRD) The souming for the said croft in the said common grazing shall remain as hitherto, that is three cows and 6 sheep.</p> <p>(FOURTH) Your liability for township expenses including the expenses incurred by the Committee in maintaining the said common grazing and in providing, maintaining and replacing any fixed equipment required in connection therewith, shall, notwithstanding remain as hitherto (that is to say, based on the original souming) but you may apply to the said Grazing Committee for modification of your liability for township obligations and if you are dissatisfied with the decision of the said Grazing Committee you can make representations to the Crofting Commission.</p> <p>(FIFTH) The apportionment is granted on the understanding that the area apportioned is for your own exclusive use.</p> <p>(SIXTH) All existing rights of access over the area apportioned shall be reserved.</p>	

Croft: 110 Drumbuie
Parish: Lochalsh
Reg No: R2305
Case Number: 73370
Application Type: Apportionment

Decision – Approved	Extent: 0.006 ha
Grounds for Decision	
<p>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.</p>	
Purpose	
Existing agricultural building.	
Conditions	
<p>(FIRST) The apportionment must be fenced in accordance with the attached map. If you find it is not possible to enclose the area with a stockproof fence in terms of the attached map, you must complete the fencing within the line of apportionment. You must not encroach onto the unapportioned common grazing land. However, if there are any unforeseen physical constraints which prohibit from enclosing on or within the agreed fence line you may seek a review of the condition.</p> <p>(SECOND) You and your successors shall in all time coming maintain in a stockproof condition any new fences and gates erected to complete the enclosure of the said area of ground and that without prejudice to any liability they may have for the maintenance of any other fences and gates bounding the said area of ground.</p> <p>(THIRD) The souming for the said croft in the said common grazing shall remain as hitherto, that is one cow and four sheep.</p> <p>(FOURTH) Your liability for township expenses including the expenses incurred by the Committee in maintaining the said common grazing and in providing, maintaining and replacing any fixed equipment required in connection therewith, shall, notwithstanding remain as hitherto (that is to say, based on the original souming) but you may apply to the said Grazing Committee for modification of your liability for township obligations and if you are dissatisfied with the decision of the said Grazing Committee you can make representations to the Crofting Commission.</p> <p>(FIFTH) The apportionment is granted on the understanding that the area apportioned is for your own exclusive use.</p> <p>(SIXTH) All existing rights of access over the area apportioned shall be reserved.</p>	

Croft: 110 Drumbuie
Parish: Lochalsh
Reg No: R2305
Case Number: 73614
Application Type: Decrofting – croft house site and garden ground –
in advance of purchase

Decision – Approved		Extent: 0.042 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 0.042 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 acquisition.	
Additional Conditions:	Fence to be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: 234 & 239 Tulloch
Parish: Creich
Reg No: S0609
Case Number: 80637
Application Type: Decrofting – part croft

Decision – Approved		Extent: 0.32 ha
Grounds for Decision		
<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. <p>Although the extent of land applied for is larger than would normally be granted in relation to the stated purpose, the 0.32 ha area is separated from the remainder of the croft by the public road and it is not considered feasible to modify and reduce the site due to the topography and the poor quality of the land. We are satisfied that decrofting the area will not adversely affect the working or use of the remainder of the croft and consider decrofting is justifiable given the size of the area applied for in relation to the croft as a whole.</p>		
Conditions of Direction		
Purpose:	Site for a dwellinghouse.	
Enclosure:	Within 4 months of completion of the development.	

Western Isles

Croft: 1 Dalmore
Parish: Barvas
Reg No: R0586
Case Number: 73940
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: 29 Scalpay Island
Parish: Harris
Reg No: I1947
Case Number: 84520
Application Type: Decrofting – croft house site and garden ground – in advance of purchase

Decision – Approved	Extent: 0.101 ha
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 0.101 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: 4 Clachan
Parish: North Uist
Reg No: I4309
Case Number: 79936
Application Type: Decrofting – Part Croft

Decision – Approved	Extent: 0.161 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: 14 Kallin
Parish: North Uist
Reg No: I4450
Case Number: 83998
Application Type: Decrofting – croft house site and garden ground –
in advance of purchase

Decision – Approved		Extent: 0.161 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 0.161 ha, on the following grounds:</p> <p>The Commission is satisfied on the available evidence that the site consists only of the dwelling-house on or pertaining to the croft. The proposed area is considered appropriate for the reasonable enjoyment of the dwelling-house as a residence.</p>		
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: 2 Rodel
Parish: Harris
Reg No: I1871
Case Number: 84523
Application Type: Decrofting – croft house site and garden ground –
in advance of purchase

Decision – Approved		Extent: 0.144 ha
Grounds for Decision		
<p>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 0.144 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.</p>		
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.	