

# NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 05/03/18 – 11/03/18

**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 Port Ramsay (Share)  
**Parish:** Lismore & Appin  
**Reg No:** A1810  
**Case Number:** 81941  
**Application Type:** Assigination

<b>Decision – Approved</b>
<b>Grounds for Decision</b>
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:** 3 Herboist  
**Parish:** Duirinish  
**Reg No:** I1147  
**Case Number:** 84030  
**Application Type:** Decrofting – Part Croft

<b>Decision – Approved</b>	<b>Extent: 0.085 ha</b>
<b>Grounds for Decision</b>	
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.	
<b>Conditions of Direction</b>	
<b>Purpose:</b>	Proposed new dwellinghouse.
<b>Enclosure of area:</b>	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.

**Croft:** **22 Fiscavaig (Share)**  
**Parish:** **Bracadale**  
**Reg No:** **16856**  
**Case Number:** **79959**  
**Application Type:** **Assignment**

<b>Decision – Approved</b>
<b>Grounds for Decision</b>
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.

**Caithness, Orkney & Shetland**

**Croft:** **Clivocast**  
**Parish:** **Unst**  
**Reg No:** **Z2902**  
**Case Number:** **85700**  
**Application Type:** **Decrofting – Part Croft**

<b>Decision – Approved</b>	<b>Extent: 0.0896 ha</b>
<b>Grounds for Decision</b>	
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.	
<b>Conditions of Direction</b>	
<b>Purpose:</b>	Site for a dwellinghouse.
<b>Enclosure of area:</b>	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:** **Bennigarth**  
**Parish:** **Delting**  
**Reg No:** **Z0117**  
**Case Number:** **84839**  
**Application Type:** **Assignment**

<b>Decision – Approved</b>
<b>Grounds for Decision</b>
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:** Ribhuachan  
**Parish:** Lochcarron  
**Reg No:** R5758  
**Case Number:** 85389  
**Application Type:** Assignation

### Decision – Approved

#### Grounds for Decision

The Commission has considered this application under section 8 of the Crofters (Scotland) Act 1993 (“the Act”) to assign the tenancy of the croft Ribhuachan to the tenant’s son, Hamish J Bennet, and has decided to approve the application on the following grounds:

Section 58A(7) of the Act stipulates the factors to which the Crofting Commission is obliged to give regard to when reaching a decision on applications for Commission consent to the assignation of a tenanted croft.

- In terms of sections 58A(7)(a)(i) of the Act, the Commission must have regard to whether any person is or will be ordinarily resident on, or within 32 kilometres of, the croft and are satisfied from the available evidence that the proposed assignee, Hamish J Bennet, intends to take up residence on the croft on his retirement in four years.
- In terms of Section 58A(7)(a)(ii) of the Act, the Commission must have regard to whether the croft is being or will be cultivated or put to such other purposeful use and are satisfied from the available evidence that Mr Bennet has made arrangements for ensuring the croft is cultivated during his absence and that he will cultivate the croft himself when he takes up residence on the croft.
- The Commission must give regard to the interests of the estate under subsection 58A(7)(b) of the Act. We have not received an objection from the landlord/estate in respect of the land to which this application relates and therefore do not consider that the interests of the estate will be adversely affected.
- Sections 58A(7)(c) and (d) of the Act relate to the interests of the crofting community in the locality of the croft and the sustainable development of that crofting community. We have not received any objection to this application from any member of the crofting community. The Commission therefore consider that approving this application will not have an adverse effect on the interest of the crofting community in the locality of the croft or on the sustainable development of that crofting community.
- The interests of the public at large must also be taken into account under subsection 58A(7)(e) of the Act. The Commission has found no evidence to suggest that the interests of the public at large would be affected, either positively or negatively by the proposed division.
- Subsection 58A(7)(f) of the Act relates to any objections received to the application. The Commission notes that no objections were received to the public notification process of the application, nor were any expressions of demand received in respect of the tenancy of the croft.
- Section 58A(7)(g) of the Act requires that in reaching a decision on such applications the Commission must have regard to their Policy Plan. The Commission has had regard to its Policy Plan and is satisfied that the consent hereby provided is consistent with the said Plan as it relates to assignation.

**Croft:** Altass  
**Parish:** Creich  
**Reg No:** S0511  
**Case Number:** 83756  
**Application Type:** Letting

**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:** 3 Badbea  
**Parish:** Lochbroom  
**Reg No:** R6692  
**Case Number:** 86908  
**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:** 112 Drumbuie  
**Parish:** Lochalsh  
**Reg No:** R2308  
**Case Number:** 86722  
**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:** 30 Fivepenny Borve  
**Parish:** Barvas  
**Reg No:** R0735  
**Case Number:** 85008  
**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.