

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 04/06/18 – 10/06/18

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: 8 Waterloo
Parish: Strath
Reg No: I4176
Case Number: 85866
Application Type: Decrofting – Croft House Site and Garden Ground

Decision – Approved		Extent: 0.144 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.		
Conditions of Direction		
Enclosure of area:	The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the acquisition of the land by the crofter or nominee.	
	That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: 1/24 Ardarroch
Parish: Strath
Reg No: I3846
Case Number: 87604
Application Type: Decrofting – Part Croft

Decision – Approved		Extent: 0.147 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		
The land must as a first change of use, be used, let or disposed of as a site for 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: **Kilfinan Croft 1**
Parish: Kilfinnan
Reg No: A1937
Case Number: 86708
Application Type: Letting of a vacant croft by Landlord

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: **Kilfinan Croft 2**
Parish: Kilfinnan
Reg No: A1938
Case Number: 86710
Application Type: Letting of a vacant croft by Landlord

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: **Kilfinan Croft 3**
Parish: Kilfinnan
Reg No: A1939
Case Number: 86712
Application Type: Letting of a vacant croft by Landlord

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: **2 Treaslane**
Parish: Snizort
Reg No: I3823
Case Number: 85489
Application Type: Assingation

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 Clachamish (share)
Parish: Snizort
Reg No: I7000
Case Number: 87668
Application Type: Assingation - 3(4) share

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.

Caithness, Orkney & Shetland

Croft: Hillhead, Sarclet
Parish: Wick
Reg No: C1101
Case Number: 83708
Application Type: Decrofting – Part Croft

Decision – Approved	Extent: 0.2ha
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	
<ol style="list-style-type: none"> 1. The land must as a first change of use, be used, let or disposed of as a dwellinghouse. 2. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed. 3. That fence must be maintained in good order and repair by each successive owner or occupier of the land. 	

Croft: Wrightfield, Sandness
Parish: Sandness
Reg No: Z2460
Case Number: 87353
Application Type: Owner-Occupier Crofter 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.

Highland (excl Caithness)

Croft: 326B Croft
Parish: Applecross
Reg No: R5873
Case Number: 85904
Application Type: Whole Croft Decrofting

Decision – Refusal	Extent: 0.45 ha (approx)
Grounds for Decision	
<p>The Commission has considered this application to decroft the croft at 326B Croft, Applecross extending to approximately 0.45 ha and refuses it. In coming to its decision, the Commission has identified the following factors are relevant to this application:-</p>	
<ul style="list-style-type: none">• Whether the application is for a reasonable purpose within the meaning of section 20 of the Crofters (Scotland) Act 1993 (“the 1993 Act”)• The general interest of the crofting community in the district in which the croft is situated• Whether or not there is or would be demand for a tenancy of the croft.	
<p>Under section 25(1)(a) of the Crofters (Scotland) Act 1993 (“the 1993 Act”), the Commission must be satisfied that the applicant has applied for the direction in order that the croft may be used for or in connection with some reasonable purpose (within the meaning of section 20 of the 1993 Act).</p>	
<p>When considering reasonable purpose under section 25(1)(a) of the 1993 Act, the Commission must consider the purpose in relation to the good of the croft, the public interest or the interests of the crofting community in the locality of the croft. They must also consider whether the area applied for is excessive in relation to the purpose applied for.</p>	
<p>In this case, the applicant has stated in the application form that the purpose of the application was as the site of an existing croft house, garden ground and the remaining croft land (the application not being restricted to the croft house and garden ground). While the Commission consider the decrofting of an existing house site and garden ground is a reasonable purpose within the meaning of section 20 of the 1993 Act, they consider that at approximately 0.45 ha, that the area applied for to be significantly excessive in relation to that purpose. The Commission note from the SGRPID report that sheep were grazing on the croft on the day of their visit and therefore the remaining croft land appears to be capable of cultivation on a modest scale. In the circumstances therefore, the Commission do not consider it is in the interests of the croft to grant the Direction as applied for as it includes land capable of cultivation and would appear to be excessive in relation to the stated purpose.</p>	
<p>The Commission has balanced the interests of the applicants in the Commission giving a decrofting direction, with the factors to which it must have regard in section 25(2) of the 1993 Act. The Commission consider that it is not in the interests of the crofting community in the locality of the croft to decroft an area of land which is significantly excessive, in the Commission’s view, in relation to the stated purpose of providing garden/amenity ground and consider further that decrofting an area of land which is capable of modest cultivation and stock supporting activities would be detrimental to the interests of the crofting community as well as to the croft, in the absence of a compelling reason for doing so.</p>	
<p>The Commission accepts that there were no expressions of demand received in response to the advertising of the application to decroft, which is not unusual as the application was a decrofting application and not a letting opportunity. However, the Commission notes that stocking activities were taking place at the time of the visit and is satisfied that there would be interest in the tenancy of the croft if it were to be genuinely made available for letting.</p>	
<p>For the foregoing reasons therefore, the application has been refused.</p>	

Croft: **Moy Bridge**
Parish: **Urray**
Reg No: **R6326**
Case Number: **87943**
Application Type: **Decrofting – Part Croft**

Decision – Approved	Extent: 0.148ha
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	
<ol style="list-style-type: none"> 1. The land must as a first change of use, be used, let or disposed of as a dwellinghouse. 2. The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the development being completed. 3. That fence must be maintained in good order and repair by each successive owner or occupier of the land. 	

Western Isles

Croft: **25 Claddach Baleshare (House Site Only)**
Parish: **North Uist**
Reg No: **I7362**
Case Number: **87017**
Application Type: **Decrofting – Section 17/18 Feu**

Decision – Approved	Extent: 0.101 ha
Grounds for Decision	
As this application has been made in respect of a croft which was feued under section 17/18 of the Crofters (Scotland) Act 1955, the Commission has agreed to grant the Direction as requested.	

Croft: **3 Haun**
Parish: **South Uist**
Reg No: **I5150**
Case Number: **87092**
Application Type: **Decrofting – Croft House Site and Garden Ground**

Decision – Approved	Extent: 0.095 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.	
Conditions of Direction	
Enclosure of area:	<p>The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of the acquisition of the land by the crofter or nominee.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>