

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 10/02/20 – 16/02/20

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: 4 Ardconnel
Parish: Kilmore & Kilbride
Reg No: A0784
Case Number: 101918
Application Type: Decrofting – Part Croft
Purpose: Site for a dwelling house

Decision - Approved	Extent: 0.159 ha
Grounds for Decision	
<p>The Commission has considered the application submitted under sections 24A and 25(1)(a) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to decroft part of the croft at 4 Ardconnel, Kilmore & Kilbride, extending to 0.159 (ha) for the purpose of providing a site for a dwelling house, and have agreed to grant a decrofting Direction under section 24B of the 1993 Act on the following grounds:</p> <ul style="list-style-type: none">• Under section 25(1)(a) of the 1993 Act, the application is considered to be for a reasonable purpose (within the meaning of section 20 of the 1993 Act). The Commission do not consider the area applied for in this case to be excessive in relation to the proposed purpose.• The Commission noted that there were no objections received and no demand was expressed in response to the advertising of the application to decroft.• Paragraph 67 of The Crofting Commission’s Policy Plan, states that; “When considering applications, the Commission will wish to ensure that suitable access arrangements are provided for any croft land”. The Commission have concluded that there are no issues with access to the remainder of the croft or to any other croft or common grazing land.	
Conditions of Direction	
<p>The land must as a first change of use, be used, let or disposed of as a site for a dwelling house.</p> <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: 32 Lochbay
Parish: Duirnish
Reg No: I1262
Case Number: 95168
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved		Extent: 0.259 ha
Grounds for Decision		
<p>The Commission has considered this application under section 24B and 25(1)(b) of the Crofters (Scotland) Act 1993, (“the 1993 Act”), to grant a decrofting Direction to the owner-occupier crofter of croft 32 Lochbay, Duirinish, in respect of the site of the dwelling house and garden ground. The original application was to decroft a site extending to 0.286 ha and included the existing access to the remainder of the croft. Following consultation with the applicant’s agent, the applicant agreed to modify the site applied for to an area extending to 0.259 ha, which excludes the existing croft access.</p> <p>Having considered all the available information, the Commission has agreed to grant a decrofting Direction for the modified site, extending to 0.259 ha, on the following grounds:</p> <ul style="list-style-type: none"> • The Commission is satisfied that the modified application consists of the site of the dwelling-house. The modified site includes a small outbuilding and an area that is used for parking 2 vehicles. The Commission is satisfied on the available evidence that the modified site does not include any agricultural buildings. • The Commission is further satisfied that although the modified area is slightly larger than the Commission would normally consider reasonable for a house site, that the extent of the garden ground included in the modified application is appropriate for the reasonable enjoyment of the dwelling-house as a residence. The Commission noted the SGRPID Reporting Officer’s comments that the site has been enclosed from the remainder of the croft for a number of years and that the land has been used as the garden for the property since the house was built in 2005. • In considering applications to decroft the Commission must have reference to its Policy Plan as published. Paragraph 67 of the Commission’s Policy Plan states that “When considering applications, the Commission will wish to ensure that suitable access arrangements are provided for any croft land”. The access track from the roadside to the remainder of the croft, which is located behind the house site and garden ground, has been excluded from the modified site. In this case the Commission is satisfied that the application, as modified with the agreement of the applicant, does not create any access issues to the remainder of the croft or to any other croft or common grazing land. 		
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 date of the Direction, with the exception of where it bounds with the existing croft access, which separates the two areas of land and which remains part of the croft. If ownership of the croft and the land referred to in this direction become separated in the future, the responsibility of fencing the boundaries with the croft access will lie with the owner of the decrofted site.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>	

Croft: 40 Breacais Iosal
Reg No: I3915
Parish: Strath
Case Number: 102070
Application Type: Assignment

Decision - Approval

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: 5 Treaslane
Parish: Snizort
Reg No: I3826
Case Number: 102740
Application Type: Subletting

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: **Gloup & 4 Westafirth**
Parish: **Yell**
Reg No: **Z2662**
Case Number: **101065**
Application Type: **Decrofting – Croft House Site and Garden Ground**

Decision - Approved		Extent: 0.99 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.		
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: **Ockraquoy**
Parish: **Cunningsburgh**
Reg No: **Z0382**
Case Number: **102620**
Application Type: **Decrofting – Part Croft**
Purpose: **Site for a dwelling house**

Decision - Approved		Extent: 0.186 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 new dwelling house. 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: Mid Breck
Parish: Walls
Reg No: Z2247
Case Number: 102622
Application Type: Subletting

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.
Conditions
The sublet will be for a fixed period of 7 years.

Croft: Brough
Reg No: Z2995
Parish: Nesting
Case Number: 103015
Application Type: Assingation

Decision - Approval
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 Gardie, Easting Enlgt
Parish: Unst
Reg No: Z2213
Case Number: 102524
Application Type: Decrofting – Part Croft
Purpose: Proposed New Development

Decision - Approved	Extent: 0.145ha
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 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: 5 Melby
Parish: Sandness
Reg No: Z2349
Case Number: 99657
Application Type: Decrofting – Part Croft
Purpose: For the site of a new dwelling

Decision - Approved	Extent: 0.105 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 by the site for a new dwelling house	
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: Hill Croft
Parish: Latheron
Reg No: C1548
Case Number: 101840
Application Type: Decrofting – Part Croft
Purpose: Site for a dwelling house

Decision - Approved	Extent: 0.048ha
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 dwelling house	
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.	

Highland (excl Caithness)

Croft: **Avernish, Nostie (Share)**
Reg No: R6375
Parish: Lochalsh
Case Number: 102794
Application Type: Assignment

Decision - Approval

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.

Western Isles

Croft: 17 Locheport (pier ground)
Parish: North Uist
Reg No: I4514
Case Number: 102360
Application Type: Subletting

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.
Conditions
The sublet will be for a fixed period of 9 years.

Croft: 20 Achmore
Reg No: R2863
Parish: Lochs
Case Number: 100695
Application Type: Assignment

Decision - Approval
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: 65 Tangasdale
Parish: Barra
Reg No: I0567
Case Number: 102208
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved	Extent: 0.097 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.	
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: 4 Rudha Ban
Parish: South Uist
Reg No: I5484
Case Number: 103421
Application Type: Decrofting – Croft House Site and Garden Ground

Decision -Approved		Extent: 0.0753 ha
Grounds for Decision		
<p>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.</p>		
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>	

Croft: 13 Breaclet
Parish: Uig
Reg No: R4948
Case Number: 101818
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved		Extent: 0.178 ha
Grounds for Decision		
<p>The Commission has considered the application submitted by Mrs Christina Macdonald under section 25(4) of the Crofters (Scotland) Act 1993 to decroft the croft house site and garden ground on the croft at 13 Breaclet, Uig, extending to 0.178 (ha) hectares and, under sections 24(3) and 25(1)(b) of the 1993 Act, gives a direction.</p> <p>In giving the direction, the Commission is satisfied on the available evidence that the site consists of the dwelling-house on the croft and an associated outhouse which is associated with the dwelling house. The Commission is further satisfied that the extent of the garden ground included in the application is appropriate for the reasonable enjoyment of the dwelling-house as a residence.</p> <p>The Commission notes that the area applied for includes the current access to the croft, but the Commission are satisfied that there are alternative sites of access which could be taken along the main road.</p>		
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>	

Croft: 4 Island of Scarp
Reg No: I1957
Parish: Harris
Case Number: 102787
Application Type: Assignment

Decision - Approval

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.
