

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 17/02/20 – 23/02/20

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: 1 Caoles
Parish: Tiree
Reg No: A1129
Case Number: 100852
Application Type: Decrofting – Part Croft
Purpose: Site for a dwelling house

Decision: Approved	Extent: 0.104 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 1 Caoles, Tiree extending to 0.104 (ha) for the purpose of providing a site for a dwelling house, and has 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: 2 Ardery
Parish: Adrnamurchan & Sunart
Reg No: A0186
Case Number: 100868
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved		Extent: 0.215 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 2 Ardery, Adrnamurchan & Sunart, in respect of the site of the dwelling house and garden ground. The original application was to decroft a site extending to 0.356 ha but following discussion with the SGRPID Reporting Officer, the applicant agreed to modify their application and reduced the site applied for to 0.215 ha.</p> <p>Having considered all the available information, the Commission has agreed to grant a decrofting direction for the modified site, extending to 0.215 ha, on the following grounds:</p> <ul style="list-style-type: none"> • In terms of section 25(1)(b) of the 1993 Act, the Commission must be satisfied that the applicant has applied for a direction in respect of part of the croft, which consists only of the site of the dwelling house on or pertaining to the croft. The Commission is satisfied on the available evidence that the modified site consists of the dwelling house and a garden shed/garage and water treatment shed, both of which are used in association with the house. • 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. • 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 Commission is satisfied that there are no issues with access to the remainder of the croft or to any other croft or common grazing land by decrofting the site applied for. 		
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.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>	

Croft: **2 Ardery**
Parish: **Adnamurchan & Sunart**
Reg No: **A0186**
Case Number: **100869**
Application Type: **Decrofting – Part Croft**
Purpose: **Site for a dwelling house**

Decision - Approved	Extent: 0.217 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 2 Ardery, Adnamurchan & Sunart, extending to 0.217 (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). Although slightly larger than the Commission would normally consider reasonable for a house site, the Commission noted that the croft 2 Ardery extends in total to approximately 100 ha. Having considered the proposed location of the new house, the access to the property, the parking area and the soakaway, the Commission does 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: **2 Peiness**
Reg No: **I3768**
Parish: **Snizort**
Case Number: **102510**
Application Type: **Assignment**

Decision - Approval
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: 22 Kilmuir
Parish: Duirinish
Reg No: I1209
Case Number: 102706
Application Type: Decrofting – Part Croft
Purpose: Site of an existing dwellinghouse

Decision - Approved	Extent: 0.0798 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 be enclosed (so far as not already enclosed) with a stockproof fence within four months of the date of the Direction.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Caithness, Orkney & Shetland

Croft: Moss of Halkirk
Reg No: C0265
Parish: Halkirk
Case Number: 101132
Application Type: Owner-Occupier Crofter Letting

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: North Houss
Parish: Burra
Reg No: Z0833
Case Number: 101809
Application Type: Decrofting – Part Croft
Purpose: Amenity ground

Decision: Approved	Extent: 0.024 ha
Grounds for Decision	
<p>The Commission has considered the application submitted by the tenant, Ellis S Fullerton, under sections 24(3), 25(1)(a) and 25(4) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to decroft part of the croft at North Houss, Burra, extending to 0.024 (ha) for the purpose of providing additional amenity ground for a previously decrofted dwelling house, and have agreed to grant a decrofting Direction 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 the croft extends to approximately 10 ha and that the previously decrofted house site extends to 0.133. The addition of the 0.024 ha site applied for will increase the decrofted house site to 0.157 ha.• The Commission noted that there were no objections received 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 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: 4 Tresta
Parish: Fetlar
Reg No: Z2956
Case Number: 91169
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved		Extent: 0.098 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: Easthill
Parish: Westray
Reg No: O0504
Case Number: 103289
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved		Extent: 0.1744 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 date of the Direction.	
	That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Highland (excl Caithness)

Croft: 6 & 1/2 7 Porthenderson
Parish: Gairloch
Reg No: R1797
Case Number: 100611
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 5 years.

Croft: 444 & 455 Wester Slumbay,
Parish: Lochcarron
Reg No: R2814
Case Number: 91467
Application Type: Letting of part croft 0.751 ha

Decision - Approved
Grounds for Decision
<p>The Commission has considered the application by Keith Jones for consent to let, as a unit ,the part of the croft they own at 444 & 445 Wester Slumbay, Lochcarron Kilmuir extending to 0.751 (ha) under section 23(3) of the Crofters (Scotland) Act 1993 ("the 1993 Act") to his wife, Mrs Suzanne Jones, and has approved the application on the following grounds:-</p> <p>We have had regard to whether the proposed tenant will be ordinarily resident on, or within 32 kilometres of, the croft. The Commission are satisfied from the available evidence that the proposed tenant is already resident in the township and will therefore comply with the residence duty.</p> <p>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 tenant will cultivate the modestly size croft created by the let by continuing to keep sheep. She also plans to keep poultry and will also train sheep dogs and search and rescue dogs. The Commission are therefore satisfied that the duty to cultivate the croft or put it to a purposeful use will be met.</p> <p>We have received no objections to the advertising of the application. We are satisfied on the available evidence that the approval of the letting will not adversely affect the interests or the sustainability of the crofting community.</p> <p>We are satisfied on the available evidence that the approval of the letting will not adversely affect the interests of the public at large.</p> <p>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 relation to letting.</p> <p>For the foregoing reasons the application has been approved.</p>

Croft: 89 & 114 Achmelvich (Shares)
Parish: Assynt
Reg No: S2849
Case Number: 100293
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.

Croft: 54 Ferintosh
Reg No: R5624
Parish: Urquhart & Logie Wester
Case Number: 100245
Application Type: Letting of a vacant croft by a Landlord

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: 54 Ferintosh
Reg No: R5624
Parish: Urquhart & Logie Wester
Case Number: 100246
Application Type: Letting of a vacant croft by a Landlord

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: 523 Strathcroy
Reg No: S0289
Parish: Assynt
Case Number: 102703
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: 14, 21 & 26 Sand Of Udrigle
Parish: Gairloch
Reg No: R1857
Case Number: 92979
Application Type: Division

Decision – Approved

Grounds for Decision

The Commission considered the application by the tenant of croft 14, 21 & 26 Sand Of Udrigle, Gairloch (R1857) under section 9 of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to divide the croft to create 3 new crofts and decided to approve the application on the following grounds:

Section 58A(7) of the 1993 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 division of a croft.

- In terms of sections 58A(7)(a)(i) of the 1993 Act, the Commission must have regard to whether any person is or will be ordinarily resident on, or within 32 km, of the crofts created by the division. It is noted that the applicant resides in Edinburgh but the SGRPID Reporting Officer states that the applicant intends to apply for Commission consent to assign the tenancies of the new crofts to at least 2 neighbouring crofters, one of whom currently grazes their sheep on the croft on an informal basis. The Commission is therefore satisfied that the residency duty would be met should the applicant proceed to apply to assign the tenancies of the new crofts as is proposed.
- In terms of section 58A(7)(a)(ii) of the 1993 Act the Commission must have regard to whether the crofts will be cultivated or put to some other purposeful use. The Commission noted that the croft is 14, 21 & 26 Sand Of Udrigle comprises 3 distinct parcels of land. The division application is to separate each of these parcels of land and the proposed new crofts will extend to 2.615 ha, 3.987 ha and 2.286 ha, each croft having an associated share in a common grazings. The Commission is satisfied that the 3 crofts created by the proposed division will be sustainable units capable of being cultivated or being put to some other purposeful use.
- In terms of section 58(7)(b) of the 1993 Act the Commission is required to have regard to the interests of the estate. 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.
- Sections 58(7)(c) and (d) of the 1993 Act relate to the interests of the crofting community and the sustainable development of the crofting community. The Commission noted that no valid objections to the proposed division were received from any member of the crofting community following public notification of the division application. Based on the available information, the Commission has found there is no evidence that the interests of the crofting community would be adversely affected by the proposed division. Indeed, the Commission considers that the creation of new crofts and the possible introduction of new entrants into crofting, will contribute positively to community interest and to the sustainability of crofting in the area.
- In terms of section 58(7)(e) of the 1993 Act, the Commission is required to have regard to the interests of the public at large. 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.

- In terms of section 58(7)(g) of the 1993 Act, the Commission is required to have regard to its own Policy Plan. Paragraph 112 of the Policy Plan states that “The Commission recognises that, in some circumstances, the division of crofts can further the aim of population retention and provide opportunities for new entrants to crofting. The Commission is satisfied that approving the application is consistent with the policy plan as it relates to division.

Croft: Croachy
Parish: Daviot & Dunlichity
Reg No: I0872
Case Number: 98461
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.

Western Isles

Croft: 7 Cleat
Parish: Barra
Reg No: I0357
Case Number: 101935
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved		Extent: 0.048 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: 30 Glen
Reg No: I0502
Parish: Barra
Case Number: 103130
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: 15b Balallan
Reg No: R2901
Parish: Lochs
Case Number: 102413
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: 7b Steinish
Reg No: R4590
Parish: Stornoway
Case Number: 102920
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: 24 Breanish
Reg No: R4969
Parish: Uig
Case Number: 103147
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: 11 Ardrol
Parish: Uig
Reg No: R4917
Case Number: 92722
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 3 years.

Croft: 13b Cross
Reg No: R6171
Parish: Barvas
Case Number: 102745
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: 30 Northton & Land At Greaval
Parish: Harris
Reg No: I1841
Case Number: 101571
Application Type: Assignment

Decision - Approved

Grounds for Decision

The Commission has considered the application by Allan M Houghton to assign the tenancy of the croft 30 Northton & Land At Greaval, Harris to Andrew M Houghton under section 8 of the Crofters (Scotland) Act 1993 ("the 1993 Act") and has approved the application on the following grounds:

- The Commission has to have regard to whether the proposed tenant will be ordinarily resident on, or within 32 kilometres of the croft. We note that the proposed tenant is resident in the township. The Commission is therefore satisfied that the residence duty will be complied with.
- The Commission also has to have regard to whether the croft will be cultivated or put to another purposeful use under section 5C of the 1993 Act. The Commission notes that the proposed tenant intends to cultivate and maintain the croft by planting a variety of native trees, growing fruit and vegetables, keeping poultry, establishing a beehive and by upgrading the existing fencing and drainage. The Commission further notes that the proposed tenant may possibly diversify into tourism in the longer term by creating a small-scale camp site. The proposed tenant is advised that under section 5C(4) of the 1993 Act he should discuss with and seek the landlords' consent prior to putting any part of the croft to a purposeful use other than cultivation. The Commission is therefore satisfied that the requirement to cultivate the croft and/or put to another purposeful use will be met by the proposed tenant.
- The Commission has not received any objection from the landlords/estate in respect of this application and does not therefore consider on the available evidence that the interests of the estate will be adversely affected.
- The Commission has not received an objection 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.
- The Commission is satisfied on the available evidence that approval of the assignment will not adversely affect the interests of the public at large.
- The Commission has not received any other objections under sections 58(4) or 58(5A) of the 1993 Act, nor were any expressions of demand received in respect of the tenancy of the croft.
- The Commission has had regard to its Policy Plan and is satisfied that the consent hereby provided is consistent with its Plan in relation to assignment.

Croft: 5 Garynahine
Parish: Uig
Reg No: R5269
Case Number: 102614
Application Type: Decrofting – Part Croft
Purpose: Existing House Site

Decision - Approved	Extent: 0.028 ha
Grounds for Decision	
<p>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.</p>	
Conditions of Direction	
<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.</p> <p>That fence shall be maintained in good order and repair by each successive owner or occupier of the land.</p>	

Croft: 5 Keose
Reg No: R3128
Parish: Lochs
Case Number: 103062
Application Type: Assignment

Decision - Approval
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: 8 New Tolsta
Parish: Stornoway
Reg No: R4644
Case Number: 102746
Application Type: Subletting

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>
Conditions
<p>The sublet will be for a fixed period of 5 years.</p>