

NOTIFICATIONS AND GROUNDS AND DECISIONS FOR APPLICATIONS DECIDED

Applications between 27/01/20 – 02/02/20

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: 9 Carbostbeg
Parish: Bracadale
Reg No: I0689
Case Number: 101525
Application Type: Decrofting – Part Croft

Decision - Approved	Extent: 0.053 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 the site of an existing dwellinghouse.	
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.	

Croft: 9 Culnacnock
Parish: Kilmuir (Skye)
Reg No: I2568
Case Number: 102183
Application Type: Decrofting – Part Croft

Decision - Approved	Extent: 0.13 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 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: **Catchean (share)**
Reg No: A1633
Parish: Kilfinichen & Kilvickeon
Case Number: 102024
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: **13 Idrigill**
Parish: Snizort
Reg No: I3711
Case Number: 102046
Application Type: Decrofting – Part Croft

Decision: Approved	Extent: 0.0022 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 part of the curtilage of the decrofted house site.	
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.	

Croft: **School Croft**
Reg No: A1966
Parish: Colonsay
Case Number: 102520
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: 3 Portnalong
Parish: Bracadale
Reg No: I0798
Case Number: 102275
Application Type: Decrofting – Part Croft
Purpose: Site of an existing dwellinghouse

Decision - Approved	Extent: 0.168 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 an existing dwellinghouse.	
The land must be enclosed (so far as not already enclosed) with a stockproof fence within four months of acquisition.	
That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Caithness, Orkney & Shetland

Croft: **Wilan**
Parish: **Sandwick**
Case Number: **98162**
Reg Number: **Z0518**
Application Type: **Letting of Owner-Occupier Croft**

Decision - Approved

Grounds for Decision

The Commission has considered the application by Ms Elsbeth Johnston under section 29A and section 58A of the Crofters (Scotland) Act 1993 ("the 1993 Act") to let the croft Wilan, Sandwick (Reg No. Z0518), to Robert Ridland and decided to grant 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 let the tenancy of an owner-occupied 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. The Commission noted that the proposed tenant is currently resident within 32 kilometres of the croft and is therefore satisfied that the residency duty will be met by the proposed tenant.
- 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 notes that the proposed tenant currently has a sheep flock of approximately 100 sheep (plus lambs) which he grazes on his existing crofts. The SGRPID Reporting Officer states that the majority of Mr Ridland's existing land consists of rough hill grazings and that his crofts are being used to their full potential. Wilan is a small croft, extending to 0.614 ha with no associated grazings right. Mr Ridland states that he intends to use Wilan croft for the management of his sheep flock. The Commission is therefore satisfied the proposed tenant will meet the land use requirements by cultivating the croft.
- In terms of section 58(7) (b), (c), (d) and (f) of the 1993 Act, the Commission is required to have regard to the interests of the estate, the interests of the crofting community and its sustainability and any objections received. The Commission noted that no objections to the proposed let have been received from any member of the crofting community. The Commission is therefore satisfied that the letting will have no adverse impact on these interests.
- 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 letting.
- In terms of section 58A(7)(g) of the 1993 Act is required to have regard to its Policy Plan. The Commission noted that Mr Ridland already owns several crofts. It has, however, also noted the relatively small size of Wilan croft and that the SGRPID Reporting Officer's comments that Mr Ridland's existing land has a considerably lower carrying capacity for grazing livestock compared to permanent grassland, due to the poorer quality of available forage and greater potential for over-grazing of sensitive habitats. Additionally, the Commission was aware that no expressions of demand for the croft tenancy were received as a result of public notification of this letting application. The Commission has had regard to its Policy Plan and after taking all of the available information into consideration, is satisfied that the consent hereby provided is consistent with the Policy Plan as it relates to letting.

Highland (excl Caithness)

Croft: 212 Altandhu (Shares)
Parish: Lochbroom
Reg No: R6443
Case Number: 87342
Application Type: Apportionment

Decision – Approved	Extent: 5.481 (ha)
Grounds for Decision	
<p>The Crofting Commission has considered an application by Mrs Catriona Last under section 52(4) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) for an apportionment of two part of the Reiff, Altandhu and Camuscoille Common Grazings extending in total to 5.481 (ha) in respect of the deemed croft comprising the grazing shares pertaining to 212 Atandhu (shares). The reasons for apportionment being (a) an area extending to 5.415 (ha) for stock management purposes, and (b) an area extending to 0.066 (ha) for additional garden ground. Having considered all the available evidence, the Commission has decided to approve to apportion the areas of land extending in total to 5.481 (ha) for the exclusive use of the applicant.</p> <p>There is no Committee in place for Reiff, Altandhu and Camuscoille Common Grazings, for the Commission to consult with under section 52(4) of the 1993 Act. However, an objection was received from a shareholder in the common grazings following public advertisement of the application to apportion.</p> <p>In the application form, Mrs Last stated that the reason for the application was to aid stock management and the separation of stock. The SGRPID report that the Commission requested into the application commented that Mrs Last runs a campsite which is wholly on her croft at 211 Altandhu (shares and apportionment) and is therefore not available for stock management. The SGRPID report further commented that the area applied for was reasonable in terms of size and location and that the land requested was typical of the common grazing land in general. The report further commented that access to the remainder of the common grazings is not affected by the granting of this apportionment.</p> <p>The objection which the Commission received from a shareholder in the common grazings focussed on three principle concerns.</p> <p>The first concern related to neighbouring crofters having the opportunity to make their feelings and objections heard. The Commission were satisfied however that the applicant complied with the public notification requirements and that is was open to any other shareholder to write to the Commission either expressing an objection or providing any other comment in relation to the application. If there had been a grazings committee in place, the Commission would have consulted with them as required by section 52(4) of the 1993 Act.</p> <p>The second concern related to the crofting activities that will be undertaken on the apportionment. The SGRPID report commented that by having the land for her exclusive use as part of her holding, the applicant hopes to expand her sheep flock by 20 sheep. The intention being to produce more lambs and therefore provide more income from the holdings. The report assessed this as being “...a reasonable use of the land and is also realistic.”</p> <p>The third concern related to having a written assurance that the apportionment will only be used for grazing or other agricultural purposes and will not be turned into housing sites or camp site plots. The Commission have taken note of this concern and will include a condition in the apportionment Order. relating to the area of land extending to 5.415 (ha) for stock management purposes under section 52(6) of the 1993 Act, that the area apportioned will be for the exclusive use of the applicant for stock management purposes. Should they wish to change this condition the applicant would have to make an application for a review of the apportionment under section 52(12) of the 1993 Act. As part of this review the Commission would consult with both the grazings committee and the owner of the grazings</p>	

Equally it is open to either the grazings committee or the owner of the grazings to make an application to the Commission for a review of the apportionment if they consider the applicant is failing to comply with any of the apportionment conditions. Following a review, the Commission can vary or revoke a condition, impose a new condition, or bring an apportionment to an end. If the Commission, following a review, bring an apportionment to an end, the land in question reverts to being a common grazings.

The Commission considered all aspects of the case and have decided on balance and after weighing the evidence to approve the application. The Commission do not consider that the implementation of the proposal would have a materially adverse impact on the other crofters sharing in the grazings. The Commission also conclude that the part of the Common Grazings remaining unapportioned will not be adversely materially affected by the granting of the application.

For the foregoing reasons the application is approved

Croft: Woodside
Reg No: R1363
Parish: Fodderty
Case Number: 102367
Application Type: Assignation

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: 22 Skye of Curr
Parish: Duthil
Reg No: I1356
Case Number: 102239
Application Type: Decrofting – Part Croft

Decision - Approved	Extent: 0.135ha
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.	

Croft: 5 Ruilick
Parish: Kilmorack
Reg No: I2432
Case Number: 102630
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 10 years.

Croft: Ramach
Parish: Kiltarlity
Reg No: I7462
Case Number: 97871
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved	nt: 0.25 Ha
Grounds for Decision	
<p>The Commission has considered the application under sections 24(A)(1) and 25(1)(b) of the Crofters (Scotland) Act 1993 (“the 1993 Act”) to decroft the croft house site and garden ground on the croft Ramach, Kiltarlity. Having considered all of the available information, the Commission has agreed to grant a decrofting Direction for the site, extending to 0.25 hectares, under section 24B(1) of the 1993 Act on the following grounds:</p> <ul style="list-style-type: none"> • The Commission is satisfied on the available evidence that the site applied for consists of the dwelling-house on 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 dwelling-house as a residence. Although the extent of land applied for is slightly larger than would normally be granted for a house site and garden ground, the Commission noted that the site is fenced separately from the remainder of the croft and the area is readily identifiable and distinguishable as the house and garden ground. It also noted that the site includes an existing double garage and part of the driveway to the property. • 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. 	

Western Isles

Croft: 1 Haun
Parish: South Uist
Reg No: I5148
Case Number: 100187
Application Type: Decrofting – Part Croft
Purpose: Site of an existing dwelling house

Decision - Approved	Extent: 0.151 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 acquisition. That fence shall be maintained in good order and repair by each successive owner or occupier of the land.	

Croft: 15 Garrygall
Parish: Barra
Reg No: I0461
Case Number: 102165
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 10 years.

Croft: 25 Scalpay Island
Reg No: I1943
Parish: Harris
Case Number: 101976
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: 4 Seilebost
Parish: Harris
Reg No: I1993
Case Number: 101996
Application Type: Decrofting – Croft House Site and Garden Ground

Decision - Approved		Extent: 0.0986 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 Kyles, Scalpay
Parish: Harris
Reg No: I1726
Case Number: 102439
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.	