

Enforcement Register

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
21/086/UA	Cairston Road, Stromness	Unauthorised access and creation of hardstanding	Temporary Stop Notice	2 nd November 2021		
19/007/UA	Quarry, (land near) Uppertown, Hoxa, South Ronaldsay KW17 2TW	Unauthorised commercial mineral extraction	Section 127 Enforcement Notice	18 th October 2021	19 th February 2022	
21/059/LBE	81 Victoria Street, Kirkwall, Orkney, KW15 1DQ	Unauthorised removal of timber windows and unauthorised installation of UPVC windows – Listed Building	Section 34 Listed Building Enforcement Notice	13 th October 2021	12 th November 2022	
21/070/UA	12 Bridge Street, Kirkwall, KW15 1HR	Unauthorised Advertisement	Regulation 24 Control of Advertisement Enforcement Notice	22 nd September 2021	17 th November 2021	Yes
21/059/LBE	81 Victoria Street, Kirkwall, Orkney, KW15 1DQ	Unauthorised removal of timber windows and unauthorised installation of UPVC windows – Listed Building	Section 34 Listed Building Enforcement Notice	22 nd September 2021	20 th April 2022	Withdrawn

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
19/007/UA	Quarry, (land near) Uppertown, Hoxa, South Ronaldsay KW17 2TW	Unauthorised commercial mineral extraction	Section 127 Enforcement Notice	28 th June 2021	Immediate	Appeal Upheld
18/435/PP	Pickaquoy Cottage, Pickaquoy Road, Kirkwall	<p>1. All development, including demolition, earth moving, excavation or other activity using plant or machinery.</p> <p>2. It is expedient that all activity is ceased, to enable Orkney Islands Council to investigate the alleged breach of planning control, specifically conditions attached to planning consent 18/435/PP</p>	Section 144C Stop Notice	6th June 2019	Immediate	Yes

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
19/008/BCP 18/033/PP	22 High Street (land to rear), Kirkwall, Orkney	<p>1. All development, including demolition, earth moving, excavation or other activity using plant or machinery.</p> <p>2. It is expedient that all activity is ceased, to enable Orkney Islands Council to investigate the alleged breach of planning control, specifically conditions attached to planning consent 18/033/PP.</p>	Section 144C Stop Notice	6 th June 2019	Immediate	Yes
18/061/UA	Flat 3 / 40 Victoria Street, Stromness KW16 3AA	Unauthorised UPVC window, door and Air Source Heat Pump in conservation area	Section 127 Enforcement Notice	4 th July 2018	8 February 2019	No – direct action under consideration
18/045/UA	Murray Arms Hotel, Back Road, St Margaret's Hope, Orkney, KW17 2SP	Unauthorised UPVC windows in Conservation Area	Section 127 Enforcement Notice	26 June 2018	8 February 2019	Yes

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
18/044/UA	West End, Cromarty Square, St Margaret's Hope, Orkney, KW17 2SN	Unauthorised UPVC windows in Conservation Area	Section 127 Enforcement Notice	26 June 2018	8 February 2019	Works agreed
17/110/COU (LB)	35 Victoria Street, Kirkwall, KW15 1DN	Unauthorised works to Listed Building	Section 34 Listed Building Enforcement Notice	18 th September 2018	27 th November 2018	Application submitted
17/110/COU	35 Victoria Street, Kirkwall, KW15 1DN	Unauthorised Change of Use from Class 1 (Shops) to Class 3 (Food and Drink)	Section 33A Enforcement Notice	18 th September 2018	27 th November 2018	Application submitted
18/010/COU	Former Fish Factory, Stronsay, KW17 2AS	Unauthorised use of commercial building as a domestic dwelling	Section 33A Enforcement Notice	18 th September 2018	27 th November 2018	No – further action under consideration
18/027/UA	27 Alfred Street, Stromness, KW16 3DF	Unauthorised Air Source Heat Pump	Section 33A Enforcement Notice	18 th September 2018	27 th November 2018	Yes
18/035/UA	Standing Stones Hotel, Stenness, KW16 3JX	Unauthorised creation of permanent floorspace	Section 33A Enforcement Notice	18 th September 2018	27 th November 2018	Yes
17/098/UA	Rosehill Farm, Stromness, KW16 3HU	Unauthorised Mobile Home being used as permanent dwelling	Section 127 Enforcement Notice	26 June 2018	8 November 2018	No – further action under consideration

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
17/116/BCP	14 Franklin Road, Stromness, KW16 3DZ	Fail to install Air Source Heat Pump Housing on listed building	Section 34 Listed Building Enforcement Notice	20 March 2018	29 May 2018	Yes (before notice came into effect)
17/025/UA	Lochside, Burray, Orkney	Condition and appearance of the land adversely affects the appearance of the neighbourhood.	Section 179 Amenity Notice	7 March 2018	4 April 2018	Compliance period extended
17/096/BCP	Springfields (land near), Berstane Lodge Road, Kirkwall, Orkney, KW15 1SZ	Breach of condition	Section 145 Breach of Condition Notice.	27 February 2018	24 th April 2018	Yes
17/066/COU	Rufford, Burray, Orkney, KW17 2SU.	Unauthorised siting and storage of static residential caravans.	Section 127 Enforcement Notice.	11 October 2017.	21 December 2017.	No. Fixed Penalty issued. Removal of unauthorised caravans underway.
16/093/UA Appeal ref: ENA-330-2000.	Flat 3, 40 Victoria Street, Stromness, Orkney, KW16 3AA.	Unauthorised installation of an Air Source heat Pump and unauthorised replacement of original timber window and door with UPVC replacement.	Section 127 Enforcement Notice.	27 June 2017 Appeal dismissed: 14 November 2017.	14 May 2018.	Withdrawn

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
17/010/UA.	39 Graham Place, Stromness.	Unauthorised installation of an Air Source Heat Pump.	Section 34 Listed Building Enforcement Notice.	21 March 2017.	02 August 2017.	Yes.
16/109/UA. Appeal ref: LBE-330-2001.	10 Ness Road, Stromness, KW16 3DL	Unauthorised replacement of timber windows with UPVC replacements.	Section 34 Listed Building Enforcement Notice.	21 February 2017 Appeal Dismissed: 19 May 2017.	19 May 2027.	Still in period for compliance.
14/024/UA.	Land at Lowerlands of Midhouse, South Ronaldsay.	Unauthorised siting of a portable building.	Section 127 Enforcement Notice.	07 November 2014.	31 March 2015.	Yes.
13/033/UA.	Land near Claybraes, South Ronaldsay.	Unauthorised siting of a portable building.	Section 127 Enforcement Notice.	15 November 2013.	06 January 2014.	Yes.
13/043/LB.	St Mary's Church, Burwick, South Ronaldsay, KW17 2RW.	Unauthorised removal of stone bell tower from a listed building, and the use of inappropriate materials as part of temporary repairs to a listed building.	Section 34 Listed Building Enforcement Notice.	04 November 2013.	06 August 2014.	Yes.
12/010/CON SRV.	Voluntary Action Orkney, Anchor Buildings, 6 Bridge Street, Kirkwall, KW15 1HR.	Unauthorised installation of front door in a building situated within the Kirkwall Conservation Area.	Section 127 Enforcement Notice.	11 March 2013.	31 October 2013.	Yes.

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
09/00014/C OU.	Midhouse (Land Near), South Ronaldsay.	Unauthorised building an engineering works associated with perceived construction of a dwelling.	Section 127 Enforcement Notice.	12 January 2011.	11 February 2011.	Yes.
9/00014/CO U.	Midhouse (Land Near), South Ronaldsay.	Unauthorised siting of a caravan.	Section 127 Enforcement Notice.	12 January 2011.	11 August 2011.	Yes.
10/452/PP.	Gairsty Quarry, Quoyloo.	Breach of Planning Condition.	Section 145 Breach of Condition Notice.	19 January 2011.	02 February 2011.	Yes.
05/04/734/P PF.	Danvia, Holm Branch Road, Kirkwall.	Breach of Planning Condition.	Section 145 Breach of Condition Notice.	10 August 2010.	09 October 2010.	Yes.
09/00014/C OU.	Land at Grindally, Sanday.	Unauthorised siting of a residential caravan and construction of a building to keep horses.	Section 127 Enforcement Notice.	18 March 2010.	30 July 2010.	
08/00002/U NTL.	Gairsty Quarry, Quoyloo.	Breach of Planning Condition.	Section 145 Breach of Condition Notice.	17 November 2009.	17 December 2009.	Yes.
08/00002/U NTL.	Gairsty Quarry, Quoyloo.	Land Adversely Affecting Amenity of Neighbourhood.	Section 179 Notice.	22 May 2009.	30 September 2009.	Yes.
08SWENF0 165.	Rufford, Burray.	Unauthorised change of use from agricultural land to land used for siting of residential caravans.	Section 127 Enforcement Notice.	18 December 2008.	01 March 2009.	Yes

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
08/00005/L B.	23 Main Street, Kirkwall.	Unauthorised installation of UPVC windows.	Section 34 Listed Building Enforcement Notice.	05 September 2008	05 March 2009.	Yes.
08/05/15/80/BCN.	Land at Cloustons Corner, Stenness.	Breach of Planning Condition.	Section 145 Breach of Condition Notice.	05 September 2008.	05 October 2008.	Yes.
08/00007/B CP.	New House, Lynnview, Holm Road, Kirkwall.	Breach of Planning Condition.	Section 145 Breach of Condition Notice.	18 July 2008.	15 September 2008.	Yes.
08/00006/C OU.	Deepdale Cottage, Stromness.	Unauthorised change of use from agricultural land and dwelling house to mixed use dwelling house and commercial plant hire centre.	Section 127 Enforcement Notice.	17 June 2008.	17 August 2008.	Yes.
07SWENF0 139.	Former Deerness School House, Deerness.	Unauthorised replacement of original, single glazed, individual paned, timber, sash and case windows with double glazed pvcu windows.	Section 34 Listed Building Enforcement Notice.	06 March 2008.	07 April 2018.	No. Fixed Penalty issued
07SWENF0 065.	Land at Heddle Quarry, Finstown.	The unauthorised erection of a radio mast.	Section 127 Enforcement Notice.	23 October 2007.	30 June 2008.	Yes.
06/SWENF/ 04/0001.	West Lynn, Holm Road, Kirkwall.	Unauthorised siting of a portable unit.	Section 127 Enforcement Notice.	14 December 2006.	01 October 2007.	Yes.

Case Reference	Address	Reason for Enforcement action	Type of Notice	Date Issued / served	Date for compliance	Notice complied with
05/07/00204 /ADV.	17 - 21 Broad Street, Kirkwall.	Unauthorised Advertisement.	Advertisement Enforcement notice.	25 November 2005.	04 January 2006.	Yes.
ENF/ARCH 001.	Land and building to the north of Berryhill, St Ola.	Unauthorised change of use from agricultural shed to use class 6 of the Town and Country Planning (use classes) (Scotland) Order 1997.	Section 127 Enforcement Notice.	Not specified.	02 August 2002.	Yes.