

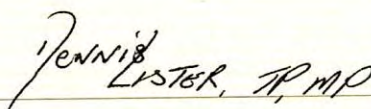
Certificate *of* **LISTING**

This certifies that the building known as

“Greenhill”
53 Middle Road, Devonshire

has, on this day, been included in a list of buildings of special architectural or historic interest compiled by the Minister of the Environment under section 30 of the Development and Planning Act 1974.

This list identifies and protects the best examples of Bermuda's building heritage and the Minister considers that the above named building makes a significant contribution to this important part of Bermuda's culture.



The Hon. Dennis P. Lister JP, MP
Minister of the Environment

30th August 2002



MINISTRY OF THE ENVIRONMENT

Government Administration Building

30 Parliament Street

Hamilton HM 12, Bermuda

Telephone: (441) 295-5151

Fax: (441) 292-2349

*In reply please
quote the date of
this letter and the
following reference:*

Our Ref: PLN 405/ 6/ (DV 023)

Date: October 30th, 2002

Messrs. David Lines & Nicholas Dill
c/o John Collis
53 Middle Road
Devonshire DV 06

Dear Sir/Madam:

**NOTICE THAT A BUILDING HAS BECOME LISTED:
"Greenhill", 53 Middle Road, Devonshire**

During 1998 I wrote informing you that the Minister of the Environment was considering adding the above-named building to the list of buildings of special architectural or historic interest. In response to that consultation you made comments about the Minister's proposal. The Minister thoroughly considered your response as well as the comments of the Historic Buildings Advisory Committee and has reached a decision on the status of your building.

I am writing to confirm that the above-named building has been included in a list of buildings of special architectural or historic interest compiled by the Minister of the Environment under section 30 of the Development and Planning Act 1974.

The building has been listed Grade 3. The property is more particularly described on the attached Listed Building Record Sheet. The list has been compiled by the Minister as a statutory duty following consultation with the owner(s) and, where relevant, occupier(s) of the above-named building. A Certificate of Listing is enclosed.

Please note that Listed Buildings are exempt from planning application fees and building permit fees. In addition, Government has developed an assistance scheme that will give the owners of listed buildings access to an interest-free loan for approved work to a listed building. Details of this scheme, including how to apply and what kind of work will be eligible, are outlined in the booklet entitled 'Interest-Free Loan Scheme for Listed Building Owners'.

Listing does not call for any action on your part unless you propose to demolish any part of a listed building or to alter its external appearance in a material way that could affect its character. In such cases, you will need to submit a formal application for planning permission.

The Department has prepared a detailed Development Control Guidance Note on alterations or additions to a listed building. This sets out what work requires planning permission, and gives advice on how best to ensure that alterations and additions preserve or enhance the building's special qualities. A copy of this Guidance Note is enclosed.

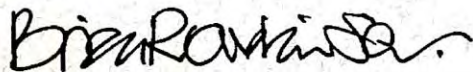
In addition to the Guidance Note, the Department of Planning and the Bermuda National Trust are preparing a Traditional Building Guide. This will provide detailed guidance, information and advice on how to carry out repairs and maintenance to enable you to retain the special character of a listed building. The Guide will include information on period interiors. This document is available from the Department of Planning at a nominal fee.

I recommend that a copy of the listing certificate, the Listed Building Record Sheet and this letter be placed with the title deeds of the property.

The Government recognises that so many fine examples of our building heritage remain in tact because they have been cherished and valued by past and present generations of owners. I am pleased you share the Minister's wish to see these buildings protected for generations to come.

If you have any queries regarding this matter, please contact Erica R. Smith in the Department of Planning on 297-7778.

Yours sincerely,



Brian Rowlinson
Permanent Secretary of the Environment

NOTICE THAT A BUILDING HAS BECOME LISTED
IMPORTANT
THIS COMMUNICATION AFFECTS YOUR PROPERTY

Government of Bermuda
Ministry of the Environment
The Development and Planning Act 1974

Buildings of special architectural or historic interest

To the Owner

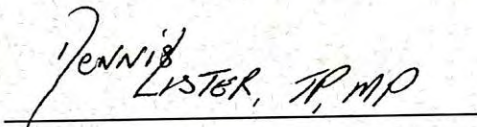
NOTICE IS HEREBY GIVEN that the building known as

“Greenhill”, 53 Middle Road, Devonshire

has on this day been included in a list of buildings of special architectural or historic interest compiled by the Minister of the Environment under section 30 of the Development and Planning Act 1974. The building has been listed Grade 3. The listed building reference number for this property is DV 023.

The property is more particularly described on the attached
Listed Building Record Sheet.

Date: August 30th, 2002

A handwritten signature in black ink, reading "Dennis LISTER, JP, MP". The signature is written in a cursive style with a horizontal line underneath.

The Hon. Dennis P. Lister JP, MP
Minister of the Environment

Please ensure that you read the notes overleaf

THE TRADITIONAL BUILDING GUIDE

Advice For Preserving Bermuda's Architectural Heritage



DEPARTMENT OF PLANNING & BERMUDA NATIONAL TRUST

Listed Building Record Sheet

Reference Number: DV 023

Grade: 3

OS Sheet: 3/16

Asst Number: 040537013

Address: Greenhill, 53 Middle Road, Devonshire, DV 06

Owner: Messrs. David Lines & Nicholas Dill

Probable Period: E19C, L19C & 20C.

Description and Historic Associations:

'Greenhill' is a 19th century house whose most notable feature is its fine verandah with 'Chinese' style railings. Considerable additions and alterations have been made, including the chimney at the east end and the extensions at the back of the house (north). These were carried out by the present owner, Charles Collis, in 1969, shortly after he bought the property from Russell Eve.

There are a number of families associated with the house according to the Bermuda Index, namely Davis, Conyers, Watlington and Eve.

Further References:

See 'Bermuda Houses and Gardens', published by the Garden Club of Bermuda, 1973, page 71. See Bermuda's Architectural Heritage; Devonshire', The Bermuda National Trust 1995, pages 57 and 86.

Date Surveyed: 1992

Date Listed: 30 August 2002

Development Control Guidance Notes

Alterations or additions to Listed Buildings and/or buildings located within Historic Areas

Policy 14

26th July 2002

Contents

1.0	Introduction	Page 3
1.1	The statutory framework	
1.2	Submitting a planning application	
1.3	The grading system	
1.4	Guiding principles	
2.0	General information	Page 9
2.1	Repairs and maintenance	
2.2	Internal alterations	
2.3	Demolition	
3.0	The setting of a historic building	Page 10
3.1	Development within the curtilage of a lot containing a Listed Building	
3.2	Development within a Historic Area	
3.3	Applications for subdivision	
3.4	Excavation adjacent to a historic building	
3.5	Landscaping	
4.0	Appearance	Page 11
4.1	Establishing the 'character-defining features'	
4.2	Painting	
4.3	Cement wash finish	
4.4	Bermuda stone	
4.5	Other external finishes	
4.6	Replastering and plastering new additions	
4.7	Enclosing verandahs	
4.8	Siting of air conditioning units and other services	
4.9	Service ducting	
5.0	Scale	Page 13
5.1	The scale of the existing building	
5.2	Traditional form and layout	
6.0	Design	Page 14
6.1	The design approach	
6.2	Proportions	
6.3	Roofs	

1.0 Introduction

This document provides guidance and advice on all buildings of special architectural or historical interest and specifically Listed Buildings and buildings located within Historic Areas. It explains when planning permission is required and offers guidance to owners, occupiers and agents on how to retain the special architectural or historic character of a historic building when changes to the building are being considered.

In reviewing an application affecting a Listed Building or buildings located in Historic Areas, the Development Applications Board (DAB) may refer to this Development Control Guidance Note to ensure that the proposal preserves or enhances the historic building. In addition, this Guidance Note may also be referred to by anybody who may advise the DAB or the Minister of the Environment on matters affecting historic buildings.

The Department of Planning recommends that owners and/or agents discuss any proposal to alter Listed Buildings or buildings in Historic Areas as early as possible, when change is being considered. In doing this, the special 'character defining features' of the building can be identified so that they are not harmed by any of the proposed changes.

For the purposes of this document, a Historic Building refers to either a Listed Building or a building located within a Historic Area.

1.1 The Statutory Framework

a) The Development and Planning Act 1974

(i) Listed Buildings

A Listed Building has the meaning assigned to it under Part I, Section I of the Development and Planning Act 1974 and is a building designated under Part V, Section 30 of the Development and Planning Act 1974 for its special architectural or historic interest.

Part IV Section 14 (2) of the Development and Planning Act 1974 states that the definition of "development" includes:

*"...the **demolition** or the making of **any material alteration** to the external appearance of a listed building..."*

Consequently, **planning permission is required for the demolition or the making of any material alteration to the external appearance of a Listed Building.**

(ii) Historic Areas

A Historic Area has the meaning assigned to it under Part I, Section I of the Development and Planning Act 1974. Under Part V, Section 31 of the Development and Planning Act 1974, a development plan may appoint areas of Bermuda as Historic Areas.

details of development preserve and enhance the quality and character of the special building.”

This guidance note offers further advice to applicants and the Board regarding the interpretation of “*appearance, scale, design, materials, and details*” in relation to a historic building.

d) The Development and Planning (General Development) Order 1999

The Development and Planning (General Development) Order 1999 (GDO) **does not apply** to Listed Buildings or to Historic Areas as defined by Part V Sections 30 and 31 of the Development and Planning Act 1974. Even relatively minor alterations to a historic building could harm its special character and therefore **planning permission is required for any material alteration to the external appearance of a Listed Building or to a building located within a Historic Area**. Therefore, a GDO will only be applicable to proposals that affect the interior of these buildings or for minor development within the curtilage of a site but not affecting the historic building itself.

e) The Bermuda Building Code Regulations 1998

Section 3406.1 of the Bermuda Building Code 1998 states:

“The provisions of this Code relating to the construction, repair, alteration, addition and restoration of buildings and structures shall not be mandatory for existing buildings and structures listed by the Minister under the provisions of section 30 of the Development and Planning Act 1974, provided that the intent of the Code in terms of public health, safety and welfare is, in the opinion of the Building Official, maintained.”

This section of the Code enables the Building Official to take into account the potential impact of a requirement of the Code on the special character of a historic building. In order to preserve or enhance the special character of a historic building a variance to the Code may be allowed, provided that the Building Official is satisfied that the **intent** of the Code is being adhered to. The general authority of the Building Official to issue directions, including permitting a variance to the Code that would preserve or enhance the special character of a historic building, is also referred to in paragraph 2.10 of the Bermuda Residential Building Code 1998

f) The Enforcement of Planning Control

Part X Sections 62 to 69 of the Development and Planning Act 1974 sets out details for the enforcement of planning control. An enforcement notice may be served on the owner or occupier of land where development is alleged to have taken place without the grant of planning permission or a building permit. In the case of unauthorised work to a historic building, an enforcement notice may require the land or building to be restored to the condition it was in before the alleged development took place. This may

Their aesthetic value may be modest but their historic significance and structural interest make them of vital historic importance. They are integral to both the Island's history and to its cultural tourism. Alteration should normally be avoided and restoration should be on a like-for-like basis.

b) Grade 1

Grade 1 refers to buildings, structures or groups of buildings that have survived in essentially their original condition and that are of such exceptional interest and architectural or historical value that they should largely be preserved in their present form, both structurally and decoratively. Minor alterations or additions should normally be carried out in the same materials and in the same structural and decorative style as the original.

c) Grade 2

Grade 2 refers to buildings, structures or groups of buildings that have survived in such condition and are of such special interest and architectural or historical value that alterations and additions should be limited to works that do not impinge on those parts of the building to be protected and preserved. Such works should normally be carried out in the structural and decorative style of the existing buildings.

d) Grade 3

Grade 3 refers to buildings, structures or groups of buildings which serve Bermuda as an important visual amenity and are of such architectural or historical value that alterations or additions should normally be carried out in sympathy with the structural and decorative style dominant in the existing structure.

1.4 Guiding Principles

The Guiding Principles set out below represent the preferred approach to maintaining, repairing and replacing historic materials as well as designing new additions and making alterations. Reference to these principles will be particularly useful when the repair and replacement of deteriorated features are necessary and/or when alterations or additions to the property are planned for a new or continued use.

- a) Wherever possible, a historic building should be used as it was historically, or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- b) The special architectural or historic character of a historic building should be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property is discouraged.
- c) Each historic building represents a physical record of its time, place, and use and therefore any changes that create a false sense of historical development,

2.0 General information

2.1 Repairs and maintenance

Straightforward repairs and maintenance using like-for-like materials do not normally require planning permission. Government will provide encouragement and support to owners who maintain their historic building in good condition.

2.2 Internal alterations

Planning permission is not required for any internal alteration. However, a building permit may be required depending on the nature of the work. Authentic and original internal features such as staircases, doors, wooden or plaster mouldings, fireplaces, floorboards and so on should, where possible, be preserved. The Historic Buildings Advisory Committee (HBAC) is available to provide advice or guidance, at the owner's request, regarding internal changes.

2.3 Demolition

Planning permission is required for the demolition of all or any part of a Listed Building or building located within a Historic Area. Planning permission will not normally be granted for the demolition of any building or feature of a building that has special architectural or historic interest. However, in the past, unsympathetic alterations or additions may have been made to a historic building and, therefore, a proposal that seeks the demolition or removal of unsympathetic alterations or additions and their replacement with a scheme that enhances the special character of the building will normally be supported.

4.0 Appearance

4.1 Establishing the ‘character defining features’

It is important at the outset of a development proposal to establish with the Department of Planning those features of the building that give the building its special character. These ‘character defining features’ are expected to be conserved as part of any rehabilitation work. This may include the whole building, part of the building, or it may relate to an individual feature such as a chimney, a set of welcoming arms steps, or a verandah. It is also important to establish the “character defining features” of the area for proposals to buildings located within Historic Areas.

The Listed Building Record Sheet, which is kept by the building’s owner and the Department of Planning, includes a description of the building and will normally identify the building’s most important features. However this description is not comprehensive and the absence of any reference to a particular feature in the description does not necessarily mean that the feature has no architectural or historic interest.

4.2 Painting

Changing the colour of the paint on the exterior of a historic building will not normally require planning permission. However, if the proposed change is a significant departure from the traditional palette of Bermuda colours, the Development Applications Board may require a planning application to be made for the change.

4.3 Cement wash finish

There are a relatively small number of historic buildings that have a traditional cement wash finish rather than a paint finish. The Department of Planning will encourage the retention of this traditional finish where it contributes to the special character of the building.

4.4 Bermuda stone

Due to the poor water repelling qualities of most Bermuda stone there are very few examples of buildings that are faced with unplastered stone. The majority of these buildings are in the Royal Naval Dockyard and there are a small number of others scattered around the island. Where the external finish to the building consists of unplastered Bermuda stone, *planning permission will be required to paint, plaster or otherwise change its appearance.*

4.5 Other external finishes

Planning permission is required to change the external finish of a historic building to any material other than the existing treatment. This includes alterations to wooden houses.

4.6 Replastering and plastering new additions

The rough or uneven texture of the exterior plastering of many historic buildings contributes positively to their special character. When repairs are made, particular care should be taken to ensure that the new finish closely matches the texture of the existing

5.0 Scale

5.1 The scale of the existing building

The scale of the building refers to its site coverage, height and number of storeys. In most cases there will be opportunities for additions to be made to a historic building. However, applications for extending the size of a historic building shall have particular regard to the scale and massing of the existing building and also to the surrounding buildings in a Historic Area. Additions that are out of scale with the existing building or the Historic Area will not normally be permitted.

5.2 Traditional form and layout

The form and layout of new additions should have regard to the established character of traditional building types. An understanding and appreciation of how the existing building has developed will be helpful in considering how the proposed extension can successfully relate to the existing structure.

7.0 Materials

Planning permission is likely to be required for any change in materials or features to the exterior of a historic building. The external materials of a historic building often form an essential part of the building's special character. Therefore, it is likely that the most appropriate way of preserving the character of a historic building when designing alterations or additions will be to retain and repair as much of the authentic fabric as possible. Where this is not possible, the same external materials and finishes that were used in the original should be utilised. There may be exceptions to this and a case may be made that a change in style or materials is appropriate. However, in the majority of cases the following advice will apply:

7.1 Walls

The materials used for walls should have a traditional appearance. However, walls that are to be plastered may be constructed from concrete block, rather than Bermuda stone. This does not prevent the use of Bermuda stone for a building where the stone will be visible in the finished building, or where the use of stone is otherwise important to the authenticity or character of the building. In most cases, the rendered finish to new walls should have a texture and appearance to match the existing building.

7.2 Roofs

The materials used for roofs should have a traditional appearance. However, roofs can be finished with either stone or concrete slates or a man-made alternative.

7.3 Windows and window frames

Planning permission is likely to be required to replace windows and/or window frames in a Listed Building or building located within a Historic Area. However, if the proposed replacement is an exact replica of the existing, traditional window, permission is not required.

Wooden windows, frames and shutters contribute significantly to the special character of many Bermudian buildings. Therefore, windows in historic buildings should be retained and repaired wherever possible. This applies not only to the wood but also to the original glass. Where the materials need to be replaced, they should be replaced with the same material. The climate provides a significant test for materials used in windows and window frames. These have traditionally been made of wood. Many good examples survive that have been well maintained. This is particularly true of windows that are made of local cedar.

Owners are encouraged to explore the cost of the repair and refurbishment of existing wood windows, frames and sills, before considering alternative replacements. If alternative replacements are deemed necessary, then new hardwood or softwood replacements should be considered.

If a window needs to be replaced, the replacement should reflect as closely as possible the characteristics of the existing windows, or other windows in the building. The new windows shall be of the appropriate period and style. The depth of reveals, the width and

7.8 Shutters and blinds

Shutters and blinds have been a practical and distinctive part of Bermuda's buildings for centuries. They have traditionally been made of wood and there are a number of good examples of early styles still around. There are three main types. These are the solid shutter, which is generally side hung, and two types of louvred blind; top-hung and side-hung. The type and style of the shutter should be appropriate for the style and period of the building.

Early shutters were often solid and these continued to be used into the 19th century on commercial buildings, particularly at ground floor level. Where these still exist, every effort should be made to repair and retain them. Where this isn't possible, they should be replaced in wood to the same design.

Louvred blinds are the most typical protection for windows. They are either top-hung or side-hung. The top-hung has the advantage of providing protection to the window from the elements. Early versions of these blinds were constructed with deep, well-spaced louvres. They were designed so that the rain would be kept out, even when the windows were open for air circulation. The design also allowed the maximum ambient light in, provided a view out through the shutter, but kept out all of the harmful direct sunlight. Where these still exist, every effort should be made to repair and retain them. Where this isn't possible, they should be replaced in wood to the same design.

On more recent styles, particularly where these are made from aluminium, the louvres are shallower, narrower and closer together. Consequently, the blind appears, to all intents and purposes, to be solid. When this type of blind requires replacement, the opportunity should be taken to replace it with one that has a more traditional appearance. This replacement will normally be made from hardwood and painted but man-made materials may be acceptable providing that the dimensions and proportions of the new blind match the typical style for the period of the building.

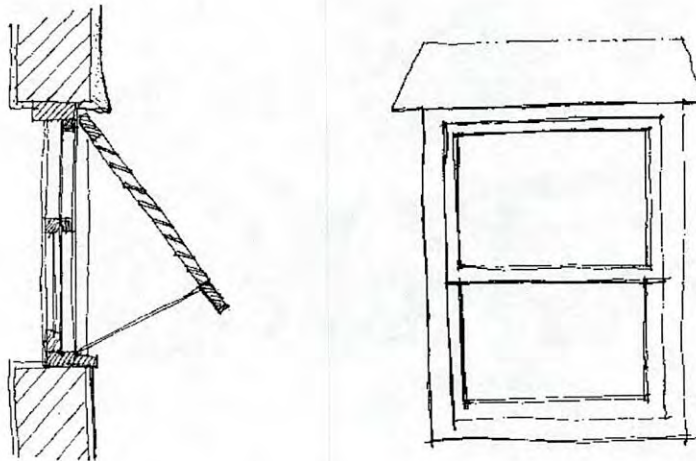
With regard to side-hung blinds, where original ones still exist, every effort should be made to repair and retain them. Where this isn't possible, they should be replaced in wood to the same design. This replacement will normally be made from hardwood and painted but man-made materials may be acceptable providing that the dimensions and proportions of the new blind exactly match the existing one or match the typical style for the period of the building.

7.9 Doors

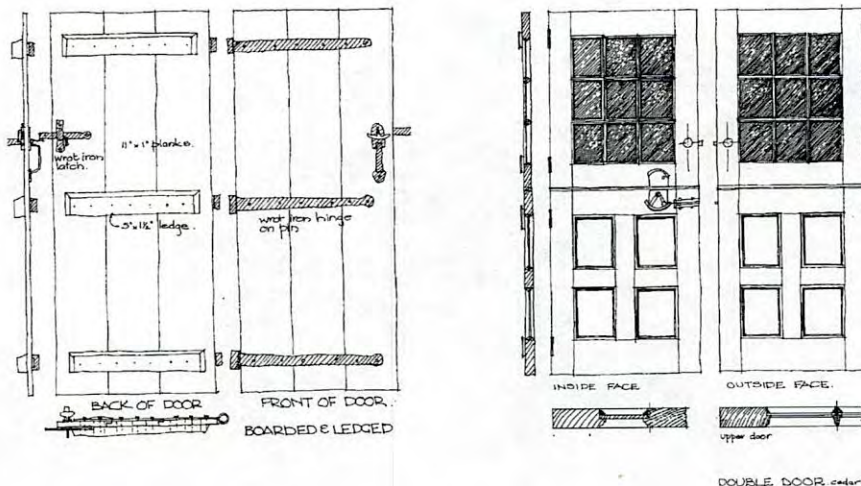
Planning permission is likely to be required for the replacement of an external door. However, if the proposed replacement is an exact replica of the existing, appropriate door, permission is not required. Where possible, existing external doors should be retained and repaired. Where this is not possible, the new door should match the style and appearance of the existing one. Fanlights and sidelights should be retained.

8.0 Details

Planning permission is likely to be required for the alteration or removal of any external detail or architectural feature that contributes to the special character of a historic building. Details and architectural features make a significant contribution to the overall character of most historic buildings. Therefore, any proposal to alter or remove an existing feature will be carefully assessed in order to ensure that the alteration or removal does not harm the special character of the building. In some cases, such as where a later inappropriate detail has been added, permission may be given to alter or remove it. However, in most instances features such as stone, plaster or timber details around doors, windows, and verandahs form part of the character of the building and should be retained.



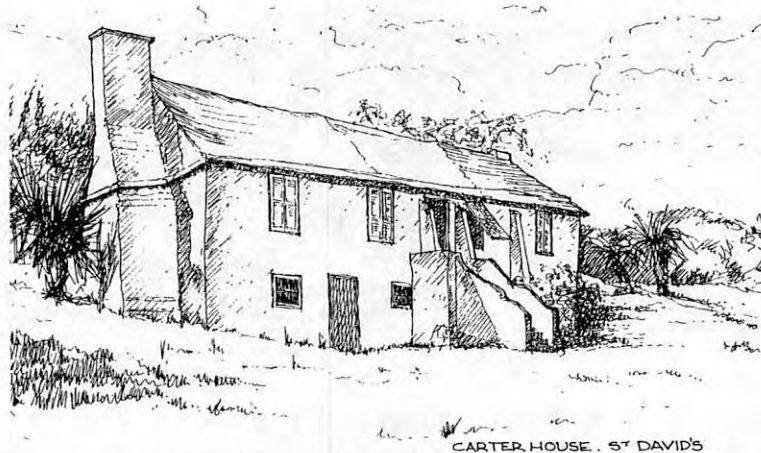
Planning permission is likely to be required for the addition of a new external detail or architectural feature that would alter the special character of the historic building. The addition of external details or architectural features will not normally be permitted on existing buildings unless there is sufficient evidence to support the reinstatement of a lost detail.



In alterations to historic buildings, it is recommended that decorative features should generally be confined to those already to be found in the earlier existing parts of the building, the style of which is to be expressed in the proposed alteration. Such decorative features include, but are not confined to the following, listed roughly by period.

8.2 Typical features of the 18th century

Plain gable ends, Flemish gables, exposed rafter feet, wooden wall plates with windows directly beneath without intervening masonry, complex rain gutters, string courses, eyebrows and buttresses, generally added to counteract the effects of sagging roofs.



Architectural features include welcoming arms steps, barrel vaulted external water tanks, separate kitchens (often believed to be slave quarters), outbuildings such as butteries. No example is known of an early buttery that is connected to, or part of, the principal building. Therefore it is recommended that the use of buttery roofs on principal buildings be avoided.

8.3 Typical features of the 19th century

The introduction of concrete allowed for expanded decorative treatments which included pedimented gables and enclosed eaves, cornices, pilasters, quoins, moulded string courses, architraves, window hood moulds, keystones and decorative wooden framework and turnings.



9.0 Further advice and information

9.1 Contact the Department of Planning at the earliest stage

As stated in the introduction to these notes, owners and their agents are encouraged to discuss their ideas with staff at the Department of Planning at the earliest opportunity. The Department can be contacted at:

The Department of Planning
3rd Floor Government Administration Building
30 Parliament Street
Hamilton HM 12
BERMUDA

Telephone:

General Enquiries	297-7756
Forward Planning	297-7778
Development Control	297-7810
Building Control	297-7755

Fax: 295-4100

email: ersmith@gov.bm

9.2 Other sources of information and advice

The Department of Planning, in partnership with the Bermuda National Trust, is currently producing a book entitled "The Traditional Building Guide: Advice for Preserving Bermuda's Architectural Heritage". This book, when completed, will be a field guide and offer advice and guidance to homeowners, builders and architects about how to preserve Bermuda's traditional buildings and building methods.

The Bermuda National Trust owns and manages a number of important historic houses and consequently has a considerable amount of experience in the care and repair of historic buildings. The Trust can be contacted at 236-6483.

There are many good websites that deal with the issues of conservation, preservation and the care and maintenance of historic buildings. The site created by the National Parks Service in the USA is a particularly useful starting point. This site has links to other helpful sites and can be found at www.nps.gov.

11.0 APPENDIX B

Policies for the replacement of windows, doors and other external features on a historic building

Policy 1

In the case of historic buildings which are Listed Buildings, there is a presumption that all existing historic windows and external doors will be repaired wherever possible, using materials and details to match the existing. Where repair is impracticable, replacements should carefully replicate the existing historic windows or doors in terms of materials, proportions, dimensions and decorative details, or be constructed in another historically appropriate style agreed to by the Historic Buildings Advisory Committee (HBAC). A similar presumption applies to other historical external features and details.

Policy 2

For structures that have a Protection Order placed upon them by the St. George's Preservation Authority, a similar presumption will apply as for Policy 1.

Policy 3

For structures located within the St. George's World Heritage Site, a similar presumption will apply as for Policy 1.

Policy 4

For other buildings which are located within Historic Areas, a similar presumption will apply as for Listed Buildings in relation to features which are located in primary elevations or are visible from public thoroughfares. For secondary or rear elevations which are hidden from public view, a less restrictive approach to materials and details may be adopted and exact replication, though desirable, may not always be required.

Policy 5

For buildings located within the St. George's Preservation Authority Scheduled Area, a similar presumption will apply as for Policy 4.

Policy 6

Any breach of the requirements set out above is likely to result in enforcement action being taken against the owner and/or occupier with the view to the reinstatement of windows, doors or other features to an appropriate design, and may also result in prosecution.