



**WHAT  
LISTING  
MEANS  
TO YOU**

*A Guide for Owners  
and Occupiers  
of Buildings that  
are listed for their  
special architectural  
or historical interest*

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## ***Introduction***

***“Listing” is Bermuda’s system of identifying and protecting buildings of special architectural or historical interest.***

*This leaflet sets out how Listing may affect you, a property owner.*

## ***About Listing***

*Bermuda’s architecture is often referred to as the Island’s only indigenous art form. Surveys have shown that Bermudians and visitors alike place a high value on the contribution that traditional architecture makes to their enjoyment of the Island. This is clearly important in retaining Bermuda’s distinctiveness and attractiveness both as a place to live and as a top visitor destination.*

*The List of buildings of special architectural or historical interest **identifies and protects the best examples of our building heritage.** The List includes a wide variety of structures, from forts and churches to houses and gate posts. In choosing buildings for Listing, the Minister cannot consider any factors other than their special architectural or historical interest.*

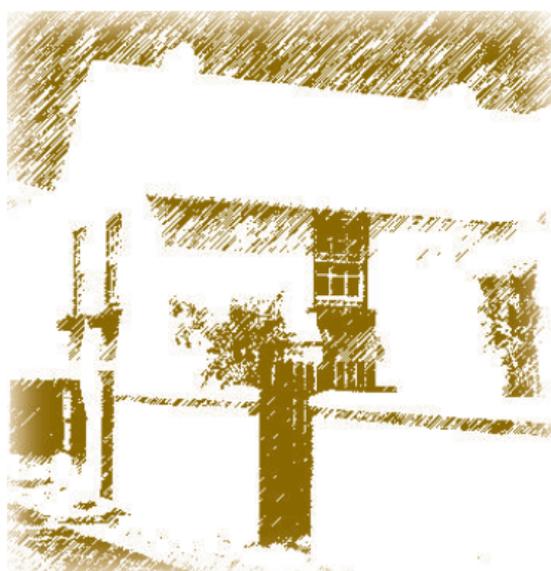
*The purpose of the List is to put a ‘mark’ against important buildings to ensure that their special architectural or historical interest is taken fully into account in decisions affecting their future.*

## ***Why Listing has been undertaken***

*Listing has been undertaken because we want to identify and protect our heritage. The pace of change is accelerating in Bermuda and therefore the Government decided to implement the formal protection afforded by the Development and Planning Act 1974. Under section 30 of this Act, the Minister has a statutory duty to compile Lists of buildings of special architectural or historical interest.*

*At present there are 791 buildings that have the benefit of this statutory protection. This includes well known icons such as the Holy Trinity Cathedral in the City of Hamilton and three sets of gateposts in St. George's. It also includes lesser known gems such as Longford in Warwick and Peppercorn in Southampton..*

*In many other jurisdictions, in the USA and UK for example, the careful conservation of important buildings is an accepted and positive part of the planning and development process.*



## ***How buildings are chosen for Listing***

*All of the buildings considered for Listing are assessed against the following criteria:*

***Architectural interest:*** *this refers to buildings that are of importance because of their architectural design, decoration or craftsmanship, and those that are important examples of particular building types or periods of building.*

***Historical interest:*** *this refers to buildings that display important aspects of Bermuda's social, economic, cultural or military history, or that have close historical associations with important people or events.*

***Group value:*** *this refers to a collection of buildings that possesses an important architectural or historical unity (e.g. Dockyard).*

***Age and rarity:*** *these are important considerations, as the older a building is, and the fewer the surviving examples of its kind, the more likely it is to have rarity value.*

*A building may qualify for Listing under more than one of these criteria.*

*The initial round of Listing began in April 1991, when the Minister of the Environment appointed the Historic Buildings Advisory Committee (HBAC) to assist and advise on the compilation of a draft List. Having considered and amended the draft List, the Minister then consulted all owners and occupiers of buildings on the List giving them the opportunity to comment on, or object to, the proposed Listing.*

*Every attempt was made to make the Listing comprehensive, but it is likely that buildings will continue to be identified for Listing in the future. In addition, individuals, community organisations and other bodies can propose buildings for Listing, at any time, by writing to the Minister.*



## *The effect of Listing*

*Inclusion on the List recognises the special architectural or historical interest of a building. Section 14 (2) of the Development and Planning Act 1974 states that ‘development’ means (amongst other things) “...the demolition or the making of a material alteration to the external appearance of a listed building...” Therefore, if you wish to **demolish** a Listed Building, or to **alter or extend** it in a way that affects its character as a building of special architectural or historical interest, **you must apply for planning permission.***

*Even relatively minor works, such as replacing windows, may affect the character of a Listed Building. It is therefore advisable to consult the Department of Planning before starting such works if you are in any doubt. It is an offence to demolish a Listed Building, or to alter or extend such a building in a way that would affect its character, without permission.*

*The majority of buildings that are afforded this protection are in private ownership and presently provide, or can be adapted to provide, comfortable homes. The Government recognises this and accepts that there may be pressure to change or add to these homes to adapt them to modern living or to accommodate increased family size. However, the Government is committed to ensuring that when changes such as these are proposed, they are considered very carefully in order to conserve the special architectural or historical character of the building. Such changes frequently happened*

*in the past and have added to the charm of much of our important architecture.*

*The fact that a building is Listed does not necessarily mean that it must be preserved intact for all time. The main purpose of Listing a building is to ensure that **care will be taken over decisions affecting its future and that any alterations respect the particular character and interest of the building.** Listing also ensures that **the case for the preservation** of a building is taken fully into account in considering the merits of any redevelopment proposal.*

*Many owners are pleased that their properties have been Listed and so recognised as part of our heritage. In other countries the cachet of Listing usually adds to the value of residential property. One of the tangible benefits of owning a Listed Building is that **there are no fees payable for planning applications and building permit applications.** For many proposals this will represent a significant cost saving.*

*Owners of Listed Buildings also have the added benefit of being able to qualify for **an Interest Free Loan from the Minister's Heritage Fund.***

***These loans are made available exclusively to owners of Listed Buildings to help with the cost of maintenance on these properties.***

*In addition, the expertise of both the Department of Planning and the HBAC is available, free of charge, from the very outset of a project. **If you are contemplating alterations or additions to your Listed Building, then call the Heritage Officer at the Department of Planning at 297-7778.** The Officer will be available to discuss your ideas, liaise with the HBAC and advise you and your architect on the best way forward with your proposal before any costly detailed design work is commissioned.*



## ***The Bermuda Building Code 1998***

*A further consequence of Listing is that the requirements of the Building Code can be relaxed, provided the safety and welfare of the building's users are maintained. Section 3406.1 of the Bermuda Building Code 1998 states that **“the provisions of this Code relating to the construction, repair, alteration, addition and restoration of buildings and structures shall not be mandatory”** with regard to Listed Buildings. The Code makes it clear that this is only allowable where “the intent of the provisions of this Code in respect of public health, safety and welfare is, in the opinion of the Building Official, maintained.”*

*This provision is also encompassed in The Bermuda Residential Building Code 1998. The Department of Planning will be able to advise you about the application of this provision.*

### ***The repair and maintenance of Listed Buildings***

*Regular maintenance and timely repairs should ensure a long life for the building and in most cases this work does not require planning permission, particularly if it is a ‘like-for-like’ replacement.*

*However, it should be noted that certain of the provisions relating to dwelling houses permitted by the **Development and Planning (General Development) Order 1999 do not apply to Listed Buildings.** The Department of Planning will be able to advise you about these matters.*

## ***What Listing covers***

***The whole of the external appearance of a building is Listed.*** However, some parts of a Listed Building may be more important than others, and this could be significant if you are thinking of applying for planning permission for demolition or alteration of only part of the building.

*All of the Listed buildings have a Listed Building Record Sheet that includes a description of the building. It also refers to any objects or structures, such as outhouses, butteries or boundary walls and gateposts that form part of the Listing.*

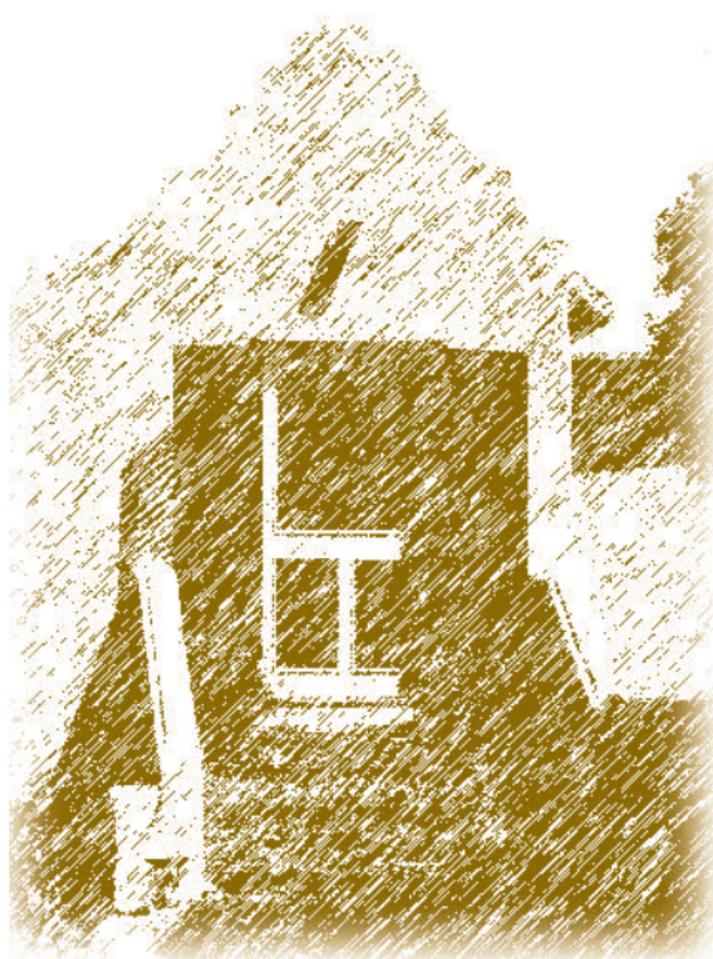
*The HBAC will normally be consulted when a planning application is made for alterations to a Listed Building. It will comment on the proposal and these comments will be reported to the Development Applications Board.*

*When considering a proposal that would affect a Listed Building, each case is taken on its merits. However, in order to give an indication of the likely scope for alteration to a Listed Building, a grading system was devised. This grade has no statutory status, but owners and their agents will be able to gain a general idea of the relative importance of a Listed Building, and the extent of alteration that is likely to be appropriate for it, by referring to the grade. There are four grades for Listed Buildings. These consist of Grades 1, 2 and 3, (with 1 being the most important) and 'HM', for 'Historic Monuments' such as Forts. Generally there is greater flexibility with regard to alterations to a Grade 3 building than there is with a Grade 1. The appendix contains further information on the grades.*

## ***How to comment on a Listing***

*If you wish to comment on a Listing, you may do so in writing to the Permanent Secretary. All comments will be carefully considered.*

*If you have any additional documented and authenticated information regarding the history of your building we will be pleased to hear from you. If you have details such as the date it was built, who the builder or architect was, the date of major additions, significant events that took place there or associations with famous people, please contact the Heritage Officer.*



## ***Further information and contacts***

***The full List of buildings of special architectural or historical interest is available for inspection at the reception desk at the Department of Planning during normal office hours. This List includes descriptions and location plans identifying every building proposed for Listing.***

*Listing is a recent initiative in Bermuda and we recognise that some owners and occupiers may be uncertain or apprehensive about what Listing means for them. Therefore, if you have any questions regarding Listing please **contact the Heritage Officer at the Department of Planning at 297-7778 by fax at 295-4100.** Alternatively, letters may be addressed to;*

*Heritage Officer,  
c/o Department of Planning,  
Government Administration Building,  
30 Parliament Street,  
Hamilton HM 12,  
Bermuda*

## *Appendix*

### *The Grading system*

*When considering a proposal that would affect a Listed Building, each case is taken on its merits. However, in order to give an indication of the likely scope for alteration to a Listed Building, a grading system has been devised. Grading has no statutory status, but owners and their agents can gain a general idea of the relative importance of a Listed Building, and the extent of alteration that is likely to be appropriate for it by referring to the grade.*

### *Grade ‘HM’*

*Buildings, structures or groups of buildings not originally intended for residential, commercial or administrative purposes but as defensive structures, monuments, outbuildings or other ancillary structures. This category also includes buildings that have become significant ruins.*

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

## ***Grade 1***

*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 normally be preserved in their present form, both structurally and decoratively. Minor alterations or additions must be carried out in the same materials and in same structural and decorative style as the original.*

## ***Grade 2***

*Buildings, structures or groups of buildings that have survived in such condition and are of such special interest and architectural or historical value that they should be limited to minor alterations and additions 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.*

## ***Grade 3***

*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 be carried out in sympathy with the structural and decorative style dominant in the existing structure.*



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