

THE DIGITAL DOCUMENTATION OF THE CULTURAL HERITAGE BETWEEN PUBLIC INTEREST VERSUS PRIVATE PROPERTY. SURVEY AND RESEARCH ON THE *IMMACOLATA SQUARE* IN MARTINA FRANCA (APULIA, ITALY)

Massimo Leserri, Gabriele Rossi***

*Dep. of Civil, Environmental, Land, Building Engineering and Chemistry (DICATECh), Polytechnic University of Bari – Bari, Italy.

**Dep. Of Architecture, Costruction, Design (dArCoD), Polytechnic University of Bari – Bari, Italy.

Abstract

The digitisation of cultural heritage makes it possible to integrate bibliographic, iconographic and archival knowledge with the metric data obtained from the metric survey and provides a new support for the protection and management of assets where the need to reconcile the general interest of the community with the use and enjoyment of the private owner is encountered. In Piazza Maria Immacolata, an emblematic public space in Martina Franca, public and private cultural interests meet/clash. The need arises to identify new, flexible and contemporary legal forms to overcome this opposition between defence of the general vs. the private interest.

Keywords

Restitution, reconstruction, laserscanning, architecture

1. Introduction

In the current times, characterized by the great potential that science and technology are able to offer along with the growing interest in digital documentation, the cultural property law emerges as well, raising new questions in regard with the most appropriate forms for protecting and managing cultural assets in a present-day scenario where the public and private dichotomy appears, i.e., the group general interest, the so-called 'public' cultural value, and the use and enjoyment of the private owner.

Thus, the purpose of this contribution is to present the results of a study in which in fact, its heritage benefits are an iconic urban portion of the town of Martina Franca in Italy, endowed with environmental, architectural and anthropological value, in contrast with the public and private cultural interests.

The objective is to create a knowledge chart of the current *Piazza Maria Immacolata* that, on the one hand, can legally determine the limit between public and private property and, on the other, create unpublished digital documentation to highlight the most significant architectural peculiarities of this architectonic and urban asset

(Rossi & Leserri, 2015). To achieve the objectives, an integration of different methodologies was used to obtain both data from instrumental surveys and deduce information from the critical reading of historical cartographic documentation in order to allow a single restitutive and reconstructive form.

2. Bibliographical sources

The *Piazza Immacolata*, one of the epicenters of the complex system of public spaces in the old center of the Martina Franca town, took shape in its current appearance just in the second half of the 19th century (Brandi, 1968).

The urban fabric of the founding nucleus of Martina Franca is the result of stratifications of settlements that emerged at different times to satisfy the private needs and collective demands. Bibliographic and iconographic research and the discovery of some archival documents propose a reinterpretation of the historical-architectural facts that have characterized, since the beginnings, the formation and development of this specific urban area.

The local literature attributes the authorship of its formation to the architect Davide Conversano



Fig. 1: Map of Martina Franca, by Giuseppe Semeraro, 1954

(Pizzigallo, 1991), very active during the second half of the 19th century both in Martina Franca and in neighboring territories. Nonetheless, the numerous searches carried out, did not allow us to discover the original project drawing, whereas an organization plan for the same space was found and presumably published prior to the one built, prepared by architect Giuseppe Campanella (Brunetti, 2014).

This document clearly indicates the intention of a unitary layout in which public and private spaces would coexist, in close visual contact with a series of public squares important for their public attendance: the one located in front of the San Martino Church, the main place of cult in the city, and in front of the University Palace, so called as it served as the seat of the town hall, and the local parliament, whose objective was to collect requests from all social classes.

It is necessary to mention the speculative aspect of the intervention since the historical literature indicates that the origin of the real estate operation is due (Pizzigallo, 1991) to the priest Don Giacomo Fedele, who – on the basis of Campanella's project and then, the definitive one of architect Davide Conversano, written on

September 6, 1844 – seems to have wanted to obtain an economic income from the new premises located on the different levels of the plaza.

Pizzigallo (1991) reports on agreements between Don Fedele and the municipal administration of Martina Franca that establish:

- the purchase preference of the municipality in the event of the real estate sale,
- the heirs' commitment not to demolish the constructed buildings,
- the realization by the heirs of what was determined within a period of six years from the date of the deed, under fine penalty for the administrators' benefit.

The news reported by Pizzigallo, although evidences verifiable archival references, would appear to faithfully replicate transcribed documents.

3. Critical reading of cartographic sources

In order to comprehend the origin and identify the birth of the new public space, it is essential to analyze the urban configuration of Martina Franca by means of the 19th century cartography. The documentary sources constituted by the historical plans that date back to 1811 and 1854, are

fundamental. In this earliest interpretation of the transformative events, the first plan is prepared by architect Michele Campanella of Locorotondo and the second one by the engineer Giuseppe Semeraro of Martina Franca (Fig. 1). The definition and graphic quality of the latter, from 1854, allows us to clearly recognize the conformation of the urban portion and the blocks in a previous period regarding their transformation into public space.

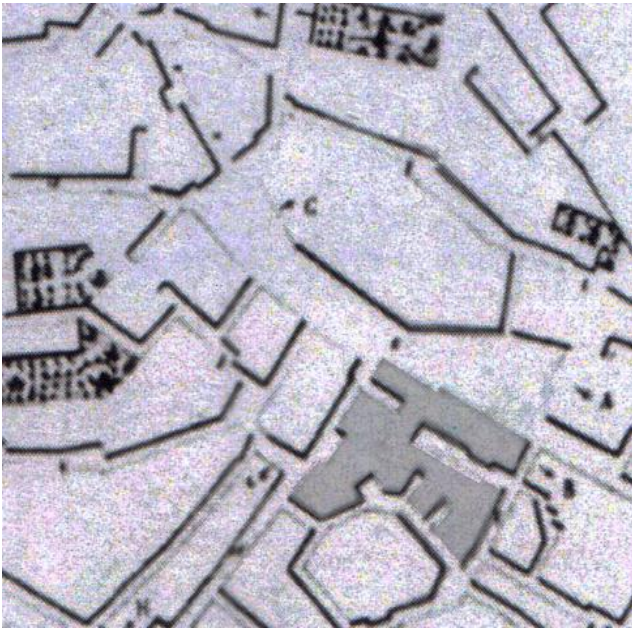


Fig. 2: Detail of Semeraro's map, 1954. Highlights the block undergoing transformation

In fact, the original shape of the entire block can be distinguished (Fig. 2), formed by two bodies, arranged in parallel to the main road system, i.e., the road connecting the urban gate of 'Santa María del Carmine' with San Martino Church. Specifically, two bodies oriented towards the main urban axis and one more towards the block interior, connected by a buildable volume, and perpendicularly arranged. This layout determines an 'H' shape in which the current *Vico Cirillo* is recognizable, an interior alley which appears blind on the plan and, although not graphed, it can be revealed, since a covered passage existed to connect it with the current street of *Via Cavour* as in other urban areas. Unfortunately, the plan does not allow us to recognize the volumes of the buildings. As a matter of fact, the roof systems are not represented, nor the heights of the buildings can be captured as Semeraro mainly points when preparing the urban map to the topographic characteristics, control of

shape, and correct location of the blocks. The latter, from a graphic point of view, are contoured and provided with a shadow of constant thickness, which is why they are used more for a global volumetric characterization than to describe the differences in height of the volumes.

An anonymous document indicates the news that the demolition of the old block began in 1853, although present in this map published in 1854. It is likely that the map reports data acquired in previous years, containing small differences regarding the existing reality in the same year.

Architect Campanella, probably the first person in charge of the transformation of this urban portion, reports a double information level in his graphic work. The design proposal for the new layout of the plaza is described in the foreground and, with a thin and barely legible line in the background, the architect indicates the pre-existing scheme (Fig. 3).

The designer represents the ground floor and an elevation/section, differentiating the graphic reduction scale. In fact, he adopts a smaller scale to indicate in greater graphic detail ornamental characteristics of the elevation. By highlighting the signs placed in the background, it is possible to show the conformation of the existing spaces: the main layout indicated as 'main road', the entrance to the current *Via Cavour*, the internal space that seems to be formed as a patio or an interior courtyard that does not appear to be connected to *Vico Cirillo* and the boundaries of the properties involved in the new arrangement (Fig. 3).

Campanella's proposal, which dates back to 1852 (Brunetti, 2014), involves the creation of a public space delimited by an 'L'-shaped body. The longest side is occupied by a 'Portico' where 7 premises/shops of different sizes are placed, all equipped with an autonomous vertical connection (staircase) to reach the mezzanines or rooms above the shop that appear equipped - as it is clear from reading the map - of rectangular openings. The shorter side of the "L" does not have a porticoed front part and is made up of 5 commercial premises with direct access from the new plaza.

Also, here the internal spaces of the ground floor are independent and, as can be seen in the section, they are replicated in shape and size on the mezzanine, although graphic indications on the vertical connections intended to reach them are missing (Fig. 3). The reasons that led to the adoption of a single-sided portico are unclear,

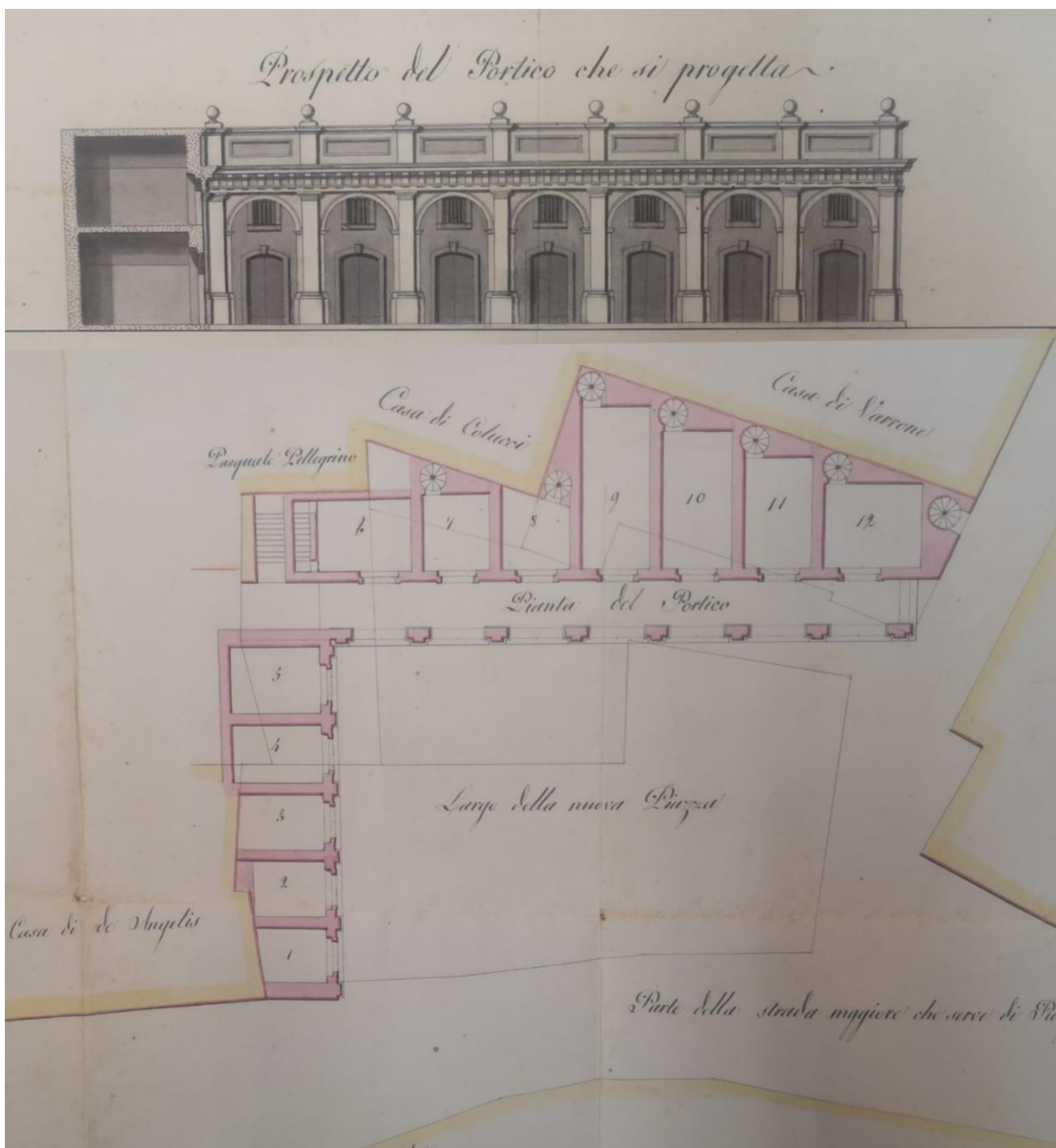


Fig. 3: Michele Campanella, “Pianta della nuova Piazza della città di Martina” (Archivio di Stato di Lecce, Intendenza di Terra d’Otranto. Affari generali e particolari dei comuni, 1821-39, 43,890 (s.a.)).

however, it could be hypothesized that the inclusion of the second portico would have resulted in too narrow a space.

Nonetheless, the public need to connect the streets currently called Via Cirillo and Via Cavour seems clear, interrupting the physical continuity between the two sides of the square (Fig. 3).

Analyzing Campanella’s plan in detail, the commercial premises (or shops) on the long side

of the square are characterized by different shapes and sizes, to evidently accommodate the pre-existing building, whose adjacent properties are precisely indicated by the author of the study/project.

All the internal environments of the plaza are numbered from one to twelve, since each one will constitute an autonomous and distinct unit.

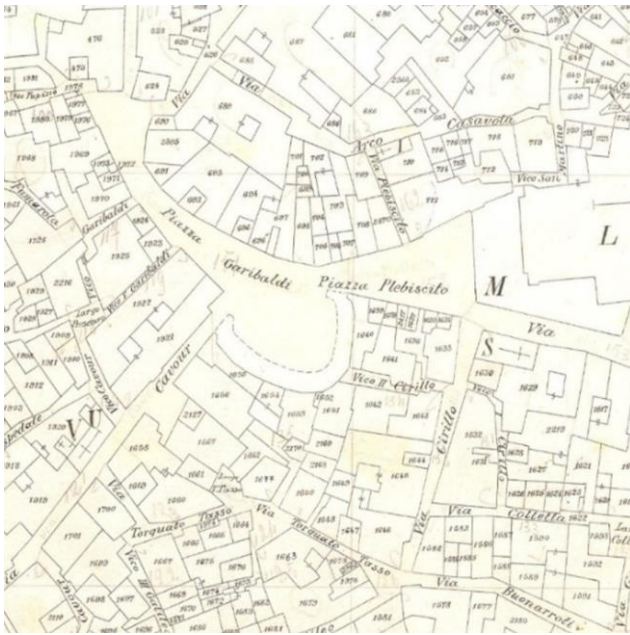


Fig. 4: Implantation map of Martina Franca (Agenzia del Territorio, Taranto).

Now, when observing the cadastral plan (Fig. 4) prepared in the 1930s, in a period after the block remodeling, it is possible to clearly identify the conformation of the new square and the division of the properties into individual plots on the ground floor. Additionally, there is a curved portico marked by a dotted line, the projection line of its size.

In the cadastral representation, the belongings associated with the different plots of the ground floor of the entire urban fabric of Martina Franca are clearly indicated, making use of the staple conventional symbol, which however does not appear in the sub-portico of the square, dedicated at this time to Giuseppe Garibaldi. Despite being described in its curved form, the porch is not divided into individual properties, nor it is graphed with a staple as belonging to one or more properties, unlike what happens on the same sheet, where the internal patios and light wells are clearly indicated as belonging spaces, graphic information, the one contained in the cadastral plan sheet, which would exclude the exclusive use of private parties and would make the porch appear as public domain.

4. Survey methods and tools

The architectural survey constitutes the method of analysis of the geometric-morphological and material-constructive component of a particular building structure,

combined with historical, iconographic and archival research for a full and exhaustive knowledge of the cultural asset.

The operational, methodological and instrumental choices are guided by the objective to develop an architectural study capable of restoring the complexity of the architectural reality and its main geometric-morphological and compositional features.



Fig. 5: Laser scanning map (authors' elaboration)

The survey project considered the object dimensions, the specific geometric conformation of the architectural volume and its complex internal spatial organization. To achieve this, it was essential to use laser scanning technologies (LST) and integrate them for the inaccessible parts, with aerial digital photogrammetry from a drone (Cianci and Colaceci, 1995; Valzano, 2017).

Accessibility to the properties that complete the entire complex was possible at different times, and the acquisition of laser scanners continued over time, making necessary, as well, the use of artificial markers, in addition to specific natural points (Fig. 5).

For optimal registration of the various acquisitions of Laser Scanner Technology (LST), approximately 320 artificial markers placed inside and outside the complex were used, combined, in very rare cases, with natural points (Gujski et al., 2022).

Once the markers were positioned, the LST acquisitions were carried out, for which two separate laser scanners were used: a FARO FOCUS M70 with a maximum range of 70 m used mainly

for interiors and a FOCUS S150+FARO with a maximum range of 150 m employed for external and high-altitude acquisitions. In total, 145 laser scans were performed (Fig. 5) located at different levels. The procedure for registering the scans, their alignment and union, was carried out based on the previously placed markers. These, automatically recognized by the used software, SCENE, from the same Faro company, have partially automated the concatenation of the individual scans, guaranteeing the precision of the point cloud superpositions and inserting them into a global reference system

Once the scans were recorded, the resulting errors and overlaps were checked, ensuring that they were within the limits of the graphical error of the representation scale. At this point, a total point cloud was generated from which to extract the data for the final graphic rendering (Di Paola F. et al., 2022).

in order to exhaustively document the *Piazza Immacolata* complex.

For a better recognition of the decorative and construction systems and the reading of the external wall texture, not clearly recognizable in the point cloud, the data set was integrated with the photogrammetric technique. The detailed elements, the stone blocks, and the decorative devices, were recovered from aerial photogrammetric photographs taken with drones. Particularly, with the device from the Shenzhen company DJI, specifically a DJI Mavic 2 Pro drone which is a quadcopter with a Hasselblad L1D-20c high-resolution camera. Table (Tab.1) summarizes the main characteristics of the used drone.

The photogrammetric process involves inserting the acquired photographic shots into a database according to a sequence suitable for use, and the digital photogrammetry software estimates the spatial position of each shooting



Fig. 6: Orthophoto extracted from points cloud of TLS (authors' elaboration)

Data processing, visualization and extraction were always carried out with the SCENE software from the FARO company, particularly with Orthophoto SCENE (Fig. 6).

A total of around forty orthographic views necessary to describe the orthogonal projection views that were wanted to restore, were extracted (Casinello et al., 2014).

The vectorization and graphic rendering operations were carried out with commercial computer aided-design (CAD) and the final drawings were prepared in two-dimensional form. The plans, elevations and sections were identified

point.

The mathematical model underlying the photogrammetric restitution process is defined as a model (collinearity function) that is solved using the principle of 'Bundle Adjustment' (also called 'projector block compensation') and uses the least squares process (Limongiello & Barba, 2020). Once the positions are identified, the system decomposes the images into point clouds and proposes alignments based on the chromatic data of the pixels.

Finally, the software generates a dense cloud, then a mesh, and finally a 3D model to which the

Tab. 1: Drone data sheet DJI Mavic 2 Pro

<u>Features</u>	<u>Specifications</u>
<i>UAV Platform</i>	
Max. take-off weight	907 g
Maximum Speed (P-Mode)	48 km/h/13.4 m/s
Flight time	~31 min
<i>Camera: Hasselblad L1D-20c</i>	
Sensor	1" CMOS; Effective pixels: 20 million
Photo size	5472 × 3648
Focal length	10.26 mm
Field of view	approx. 77°
Aperture	f/2.8–f/11
Shooting speed	Electronic shutter: 8–1/8000 s

textures of the same photographic images are applied (Fig. 7).

The metric precision of the laser scanner data integrated with the descriptive and photographic qualities of digital stereoscopic photogrammetry allows to obtain high precision metric data and the graphic representation of the entire portico complex of the *Piazza Immacolata*, providing digital and vector technical support which seems indispensable for the future activities proposed to carry out.

Considering the curved shape of the porch and the views generated in the different identified projection planes, a real representation of the fifteen arches was used, developing them in a single plane, thus eliminating the projected part in the background of the sub-portico, which would have been seriously deformed (Catuogno F. et al., 2021).

The graphic reduction scale identified as 1/50 (Maiorano, 2023) makes it possible to manage and prioritize, with a calibrated graphic code, the architectural elements considered necessary for the description of the stylistic and geometric-morphological peculiarities of the urban front of the *Piazza Maria Immacolata*. (Fig. 8)

At the same time, a hypo-cadastral research was carried out, analyzing the transcripts in the Real Estate Property Registries and in the corresponding Notarial Archives.

The transcripts of all the real estate units that are part of the real estate complex of the *Piazza Immacolata* portico in Martina Franca were analyzed over time. The analysis carried out was also legally certified by notarial act.

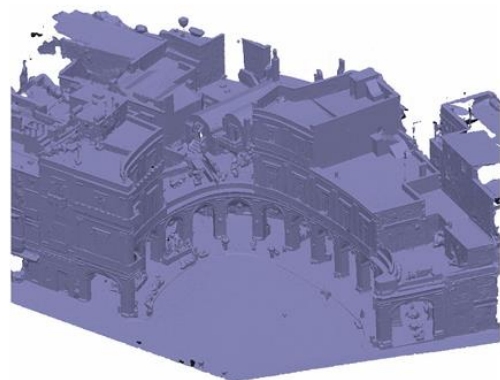


Fig. 7: Pipeline of the digital fotogrammetry (elaboration by Remo Pavone)

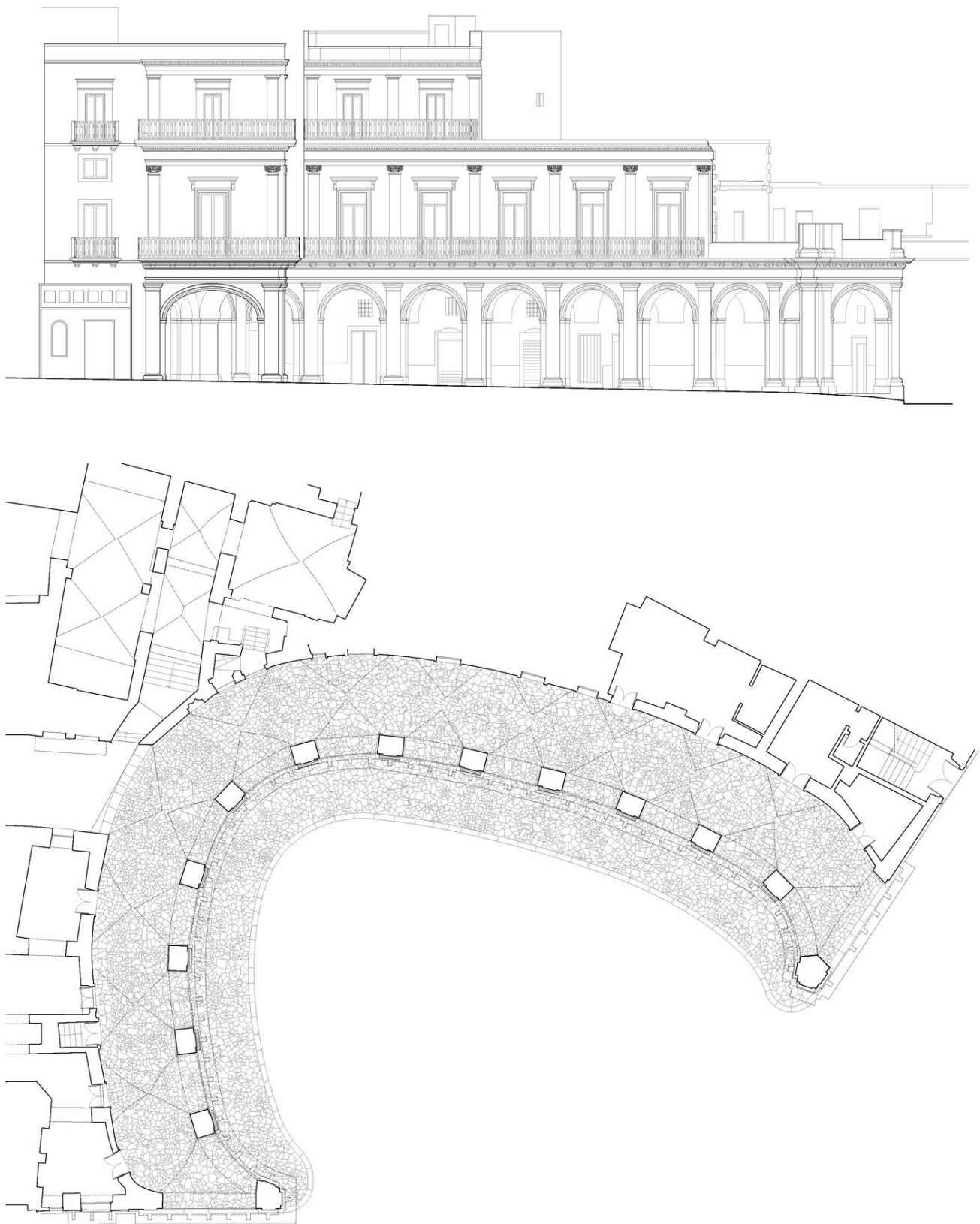


Fig. 8: Graphic representation of the northern elevation and ground floor plan. Survey of 2022 (authors' elaboration)

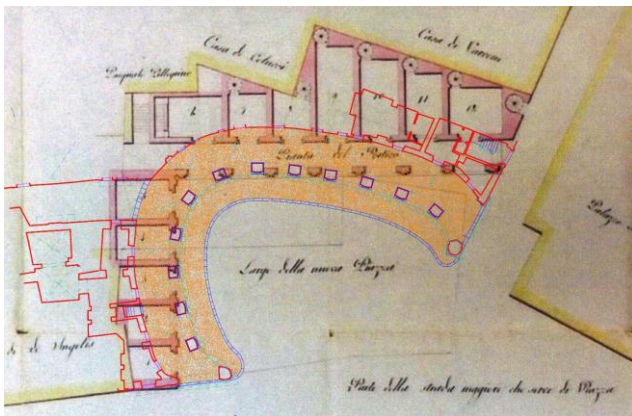


Fig. 9: Overlay of Architectural Survey 2022 with Campanella 1821 plan (authors' elaboration)

5. Research development

5.1 Comparative-graphic analysis between the existing project proposal (Architect. Conversano) and the first one (Architect. Campanella)

The superimposition of the graphic results of the architectural survey with Campanella's drawing of the project (or design) also allows further reflection on the final proposal from Architect Conversano.

The oblique tendency of the plots of the owners Colucci, Pellegrino and Varroni and their rotations may have led the designer to prefer a shape with which to connect them, thus adopting a curved solution to arrange the square with a single portico, surpassing the first solution of Arch Campanella (Fig. 9).

If the Conversano building is considered after Campanella (Brunetti, 2014), it is likely that Conversano knew about it, and it could be considered that there are many elements extracted from the first solution, also optimized in the second one from an economic point of view with the creation of a greater number of units to be used as commercial spaces.

From the graphic superposition between Campanella's proposal and the survey carried out by Conversano, a difference emerges between the thicknesses of the load-bearing walls. Campanella's being thinner, probably to support a single level of vaults (Fig. 6), compared to the greater consistency than those anticipated by Conversano designed to support a real estate complex with multiple elevations, as later happened in reality.

As an analogy with what was planned by Campanella, who arranged a spiral staircase in six of the seven spaces on the ground floor, intended to reach the mezzanine equipped with a window aligned with those of the ground floor door, also the solution created later by Conversano proposes a similar arrangement with the same alignments.

Furthermore, in Campanella's project, a larger spiral staircase with direct access from the current *Via Cavour* and not connected to any ground floor property, appears to be related to the linear staircase located on the opposite side of the entrance to *Vico Cirillo* alley. This would suggest the aspiration of making the upper level accessible and perhaps the creation of an outdoor space based on the model of the roof level in *Piazza XX Settembre* of the city of Conversano.

5.2 From the study to the critical reading of the 'Piazza dei Portici'

From the historical events and the analysis of the cartography, a '*Piazza Garibaldi*' emerges based on the project of the architect Davide Conversano.

Observing the existing volume, a portico is observed composed of thirteen portions that develop following a curved pattern, whose geometric genesis cannot be traced back to a regular matrix, since, as anticipated, it would rather seem to be the result of adaptation in the irregular conformation of the pre-existing urban space.

There are fifteen arches in total, thirteen facing the square, while two terminal arches connect with the adjacent roads creating an access/arch to the portico from *Via Cavour* and the adjacent *Piazza Plebiscito*.

The representation of the development in true form of the entire urban front (Fig. 8), in addition to providing a real proportion of the surface dimensions of the individual portions of the urban front, allows us to recognize the difference between the semicircular arches of the thirteen arches, oriented towards the public space, and the polycentric ones with respect to the two terminal arches, equipped with greater span.

The presence of a double curvature that distinguishes the arches in front of the square, i.e., on the one hand, the planimetric layout and on the other the vertical one, witnesses a very particular geometric-constructive capacity.

The wall thickness of each arch is the complex result of the intersection of a conical surface with

a horizontal axis through a ruled surface with an irregular curved director.

The Tuscan order concludes the decorative structure of the portico - as it had already occurred in Campanella's proposal - and the pilasters that separate the arches are all of similar in size except for the terminal, which is larger.

In fact, corresponding to the transition from the curved surface of the plaza to the linear surfaces of the side facades, a cut/bevel resolves the angularity. A system of pilasters repeated on the three fronts of the bevel constitutes the angular solution and finally, the largest central pilaster marks the limit of the curved front, resolving the visual contraction produced by the constant perspective foreshortening generated when observing the front from the inside the plaza. (Fig. 10).

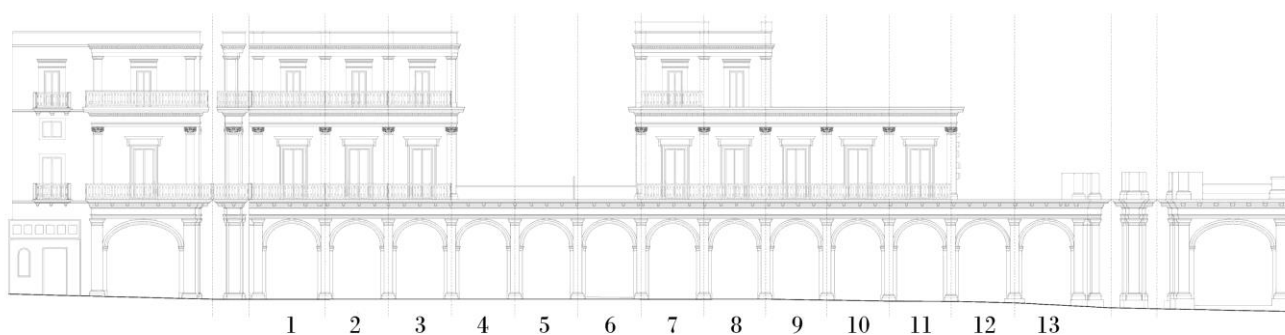


Fig. 10: Development of the Piazza Immacolata prospect (authors' elaboration)

From a construction point of view, the entire porch is made with traditional techniques and stone material that refers to pillars, arches and the porch cover, the latter solved with a ring (or annular) barrel vault extending throughout the irregular curved route of the portico and where a couple of portions of vaults (panel) are inserted, visible in the planimetric view. These panels allow, on the one hand, the formation of connecting arches with the perimeter arches and the creation with the internal façade of the sub-portico of spaces suitable for the insertion of doors crowned by windows, appropriately designed for lighting. (Fig. 8).

The first-order entablature of the main façade of the plaza where the first-floor balconies are located is supported by a system of thirty-seven strongly projecting corbels perpendicularly arranged to the irregular curved direction of the entire urban space.

5.3 Critical analysis of the iconographic documentation of the time

The detailed analysis of period images, found in various publications, in private archives of photographers or made available by citizens of the town of Martina, allows us to reconstruct the main life phases and the different conformations the Piazza has acquired over time (Colonnese, 2023).

The initial configuration of a portico without upper levels suggested by Pizzigallo (1991) as an agreement between the municipal administration and the client is not confirmed in any image of the period, so this configuration can only be hypothetical.

The photographs, chronologically arranged according to the events represented and through indirect dating based on the subjects and objects

represented, show the following temporal sequence:

- Phase A: portico without elevations (only hypothetical solution)
- Phase B: First and second floor lifting in correspondence with openings 7 and 8 (Figs. 10-11) with access from the portico;
- Phase C: extension of the construction of the first floor in correspondence with openings 9, 10 and 11 (Figs. 10-12) and creation of a second access to these units from *Via Cavour* (Fig. 12);
- Phase D: construction of the first and second levels in correspondence with openings 1, 2 and 3 coinciding with the current state (Fig. 10).

Although in some points preparation of building parts can be recognized with the intention of expanding the elevation of the first floor, this was not achieved and the situation of the plaza reached the configuration that it presents today.

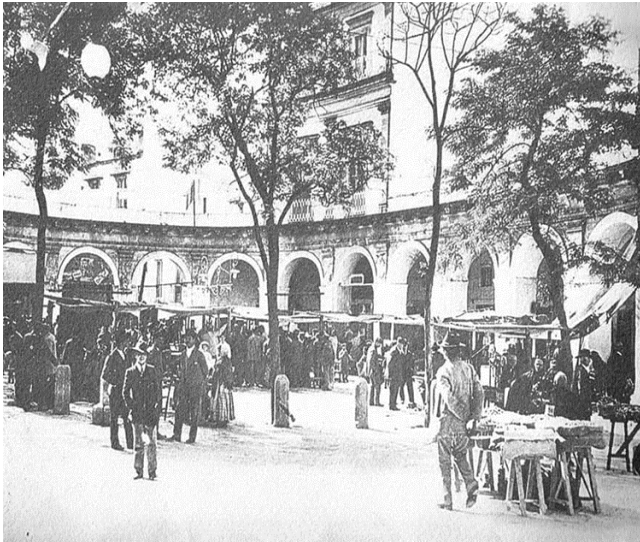


Fig. 11: Historical photography (Archive M. Clementino)



Fig. 12: Historical photography (Private Archive)



Fig. 13: Historical photography (Archive M. Clementino)



Fig. 14: Historical photography (Archive M. Clementino)

In photographs of the period it is also possible to recognize other elements that contribute to the formal definition of the space of the plaza. Particularly:

- a system of small pillars and trees is recognized that delimit the public space of the square occupied by the market, separating it from traffic (Fig. 11);

- the paving elevation with respect to the surrounding road network contributes to delimiting - after the removal of pillars and trees - the area of the square used as a space for the market (Fig. 12);

- a fountain located in a central position in the irregular circular space of the square is recognized

(Figs. 12-13) and again the presence of thin trees that delimit it (Fig. 14);

- in the most recent, probably before the current repaving of the square and still occupied by the parking area, the elevated part of the square is limited to a platform arranged around the perimeter of the portico according to a similar configuration but not equivalent as the current one (Fig. 15).

although it was later named *Maria Immacolata*, probably following the institution in Italy of the Marian year (dedicated to Saint Mary), an occasion in which many Italian squares and places would change their toponymy (Marinò, 2020).

To determine the use and ownership of the space under the portico, consultation of the database 'Taxes for the occupation of public lands' of the Prefecture and the State Archive of Taranto was



Fig. 15: Historical photography (Archive M. Clementino)

The continuous transformation of the square's floor plan, its perimeter and the shape of the paving itself bear witness to public management of the square's space, modified several times depending on the needs that arose from time to time (Fig. 17).

5.3 Archive research to determine ownership

The iconographic research was also based on archival research carried out in the State Archives of Lecce and Taranto, particularly in the funds of the Intendancy of 'Terra d'Otranto' and the Prefecture.

From archival research it can be deduced that the current square, built according to Conversano's design, was initially called 'Piazza Garibaldi', as previously noted also on the cadastral plan,

decisive. In particular, in Series II, Category 13, Folder 18 there is an extract from the Resolution of the Prefectural Commissioner of October 3, 1931 in which the porticoes of *Piazza Garibaldi* are indicated, the only porticoes in the city, belonging to the First Category of Taxation for the occupation of public lands. (Fig. 16)

From a later 'Deliberation of the Prefectural Commissioner' from February 18, 1933 - preserved in the same collection of the State Archives of Taranto - it appears that the Porticoes of *Piazza Garibaldi* are exempt from the application of the tax on the occupation of Public spaces. In fact, the resolution motivates this decision, as it derives from the ruling won by the owners Ricci and Marinosci, which declares 'these lands are private property and therefore are not subject to the public land occupation tax'.

Also, in the collection 'Disputes and transactions of Martina Franca' of the Prefecture, Series II, Category 13, folder 14/1, the dispute between the administration and the lords Ricci and Marinosci is preserved, with the decision to exempt the tax contribution for the occupation of public lands because they are private property.

The litigation continues to reach the *Court of Appeal of Bari*, where, the ruling, however, is confirmed to also establish the settlement against the owners Ricci and Marinosci of sums for expenses and fees that must be paid by the Municipality of Martina Franca, according to what is indicated in the extract of the resolution of the *Commissioner of the Prefecture of the Municipality of Martina Franca* of April 8, 1933 in which the 'Liquidation of expenses and compensation of the sentence against Marinosci and Ricci' appears.

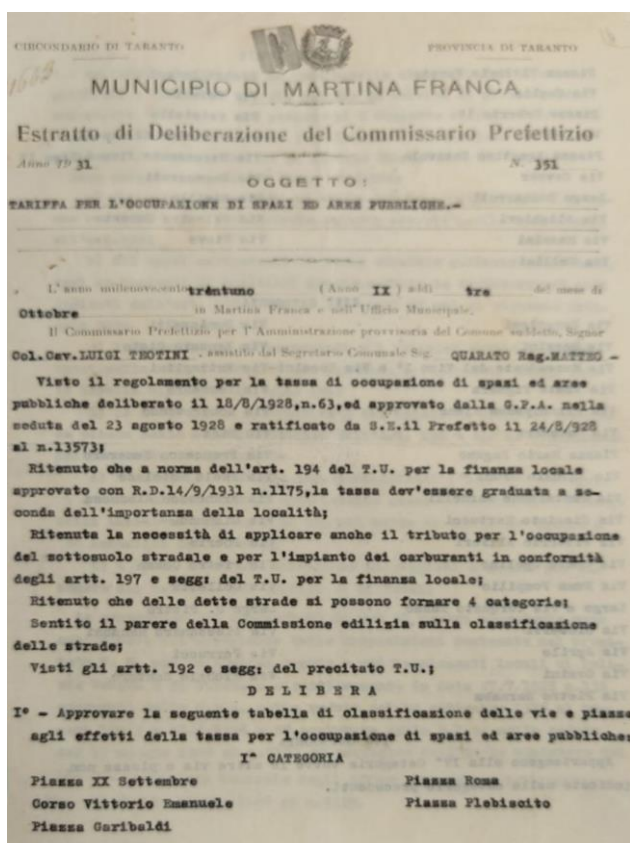
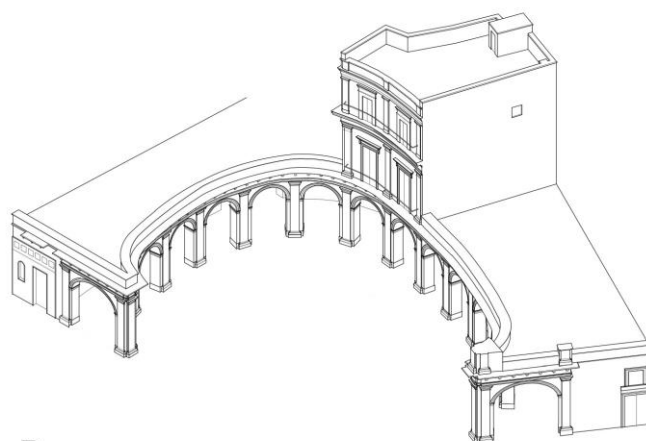
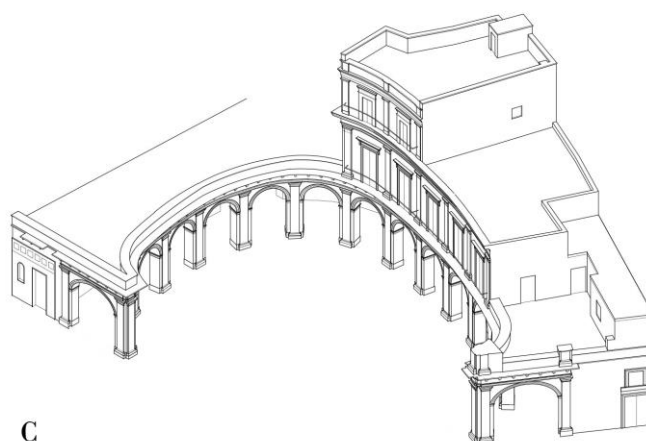


Fig. 16: Resolution of the Prefectural Commissioner, 3 October 1931 (ASTa, Prefettura, Martina Franca, Serie 2, Cat.13, Fasc. 18).

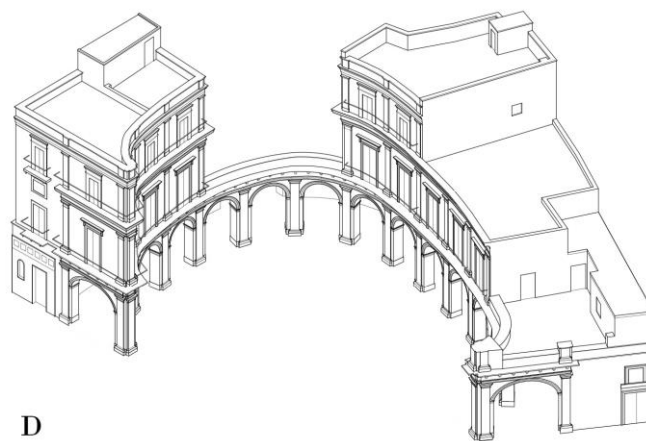
This ruling probably also contributes to the definition of the new structure of the city's market activities, considering that the square with its porticoes loses this particular public function with this event



B



C



D

Fig. 17: The different phases of Piazza Immacolata (elaboration by Sara Brescia)

6. Conclusions

The integration of bibliographic, iconographic and archival references with the metric data deduced from the metric survey and the hypo-

cadastral surveys provide a global vision of the historical-architectural values of the spaces of one of the most iconic and representative places of the town of Martina Franca.

This way, property rights and the definitive recognition of the private use of the area under the portico of Piazza Immacolata are clarified, putting an end to an ambiguous interpretation about its use, but opening up new and increasingly urgent issues related to protection and management of those private goods, but of general interest to the community. A public-private dichotomy of cultural interest that requires new methods of intervention for the defense of the so-called 'public' cultural value and the contemporary use and enjoyment of the private owner.

The state of conservation, the management of a private space for public use, and the need for

protection measures, not present today, also require to foresee or plan from a regulatory point of view, safeguarding and protection measures to be applied in those urban private areas with a strong public vocation and value (Carpentieri, 2019).

Given the need to manage and protect the cultural heritage with appropriate forms of flexibility, contemporaneity of uses, and that accommodate the changing cultural and even spiritual phenomena of current times, that overcome as well, the contrast between the defense of the general versus the private interest, it is necessary to identify a legal meeting place where the public and private sectors cooperate to share the burdens and honors required by the cultural heritage.

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