

23rd March 2022



**Tribunal ta' Revizjoni
tal-Ambjent u l-Ippjanar
Floriana**

Nru. ta' iskedar: GN 478/21

Lokazzjoni: Barumbara, Tria Sta. Marija
k/m Triq ic-Cavi, Mqabba

Skedar: Grad 1

Ref. Taghna:

Ref. Tribunal:

**Giulio Xuereb - 578242M
Grace Xuereb - 857538M
Alfred Xuereb - 186441M
Maria Dolores Xuereb 299844M**

vs

L-Awtorita' ta' l-Ippjanar

Appellants respectfully submit:-

- I) According to a notice issued in the Gazzetta tal-Gvern number 478/21 on the 9th April 2021, the property was scheduled as Grade 1.
- II) The appellants are the owners or have an interest in this property and submitted a request for reconsideration.
- III) The Executive Council of the Authority heard the case and decided the case by

refusing the request during a sitting of the 22nd February 2022.

The Appellants feel aggrieved by this decision and are hereby submitting this Appeal:

1. The Grade 1 scheduling refers to the structure known as Barumbara or l-Ispizerija l-Antika.
2. The scheduling includes the surrounding parcel of land enclosed by a high wall along Triq ic-Cavi & Triq Santa Marija.
3. There is a misconception that the circular structure was used as a pharmacy. Historical evidence suggests that this structure was a dovecote as indicated in the original block plan of the foundation Cabreo Cottoner. The dovecote, and adjacent agricultural tenements formed part of the Cabreo Cottoner Estate that included another old structure known as 'l-Isptar lQadim'. There are also doubts whether the 'l-Isptar il-Qadim' was in fact used as a Hospital or whether it was a rural building. In fact, when the property was granted temporary emphyteusis in 1726, was referred to as an agricultural tenement.
4. The barumbara is situated circa 4m from one of the party walls on Triq icCavi.
5. The barumbara is also situated circa 5m from one of the party walls on Triq Santa Marija.
6. PA 3883/14 approved the re-development of the adjacent site on Triq Santa Marija.
7. On the same adjacent site, PA 8056/20 was in the meantime approved by the Planning Authority.
8. It is evident that the Barumbara has lost all of the historic urban / rural context and therefore it is not understood why the Grade 1 scheduling was also attributed to the vacant parcel of land.
9. The surrounding land was never a formal or historic garden but rather agricultural land which has now been heavily urbanised.
10. Whilst there is no objection for the scheduling and restoration of the Barumbara itself, considering the existing context with exposed blank party walls adjacent to the Barumbara, the relative scheduling of the vacant plot is being contested.
11. It is being proposed that a 3.0 meter buffer from the Barumbara is considered sufficient for its adequate conservation and should be discussed at full development stage.

12. The Appellants also refer to the attached document which further explains the reasons for which the original request was made to the Authority and which is also the basis of this current appeal and request.

In view of the above it is being requested that the vacant plot of land is removed of its scheduling.

Witnesses:

1. Officers of the Authority and consultees to give evidence on the facts of the case
2. Consultants appointed by the Appellants to give evidence on the facts of the case
3. Other third parties with knowledge of the facts relating to this case



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