

A COMPARATIVE EVALUATION OF URBAN DEVELOPMENT MANAGEMENT: TALE OF VIRTUOUS PRACTICE VS. QUESTIONABLE PRACTICE

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Abstract

As a consequence of current economic dynamics it's undeniable that most of the contemporary urban development activity is more and more forced to take place by public-private partnership processes in many parts of the world. In consideration of these stiffening conditions suffered by local governments, this paper will provide an analysis on recent and current urban development practices based on two contrasting instances. In this context, the delivery of good practice in urban design will be questioned from a process-oriented perspective. In examining how to deliver good quality in urban development this study will make use of a comparative approach, principally confronting two analogous towns (in terms of size, population and peripheric position with respect to greater metropolitan area) namely, Sesto San Giovanni (Milan) and Chelmsford Town (London) in their approach to manage the urban development in two development projects of similar size, respectively Ex-Falck Area and Beaulieu Park. The significant aspect differentiating two projects, is that the Beaulieu Park is project of a recognized design quality (CABE, 2004), fruit of a development process, reasonably lasted 5 years mainly thanks to public administration's pro-active participation and virtuous negotiation with property developers for the quality places (Hall, 2011). Whereas Ex-Falck Area, despite covering a similar surface area, has witnessed a prolonged development process initiated in 1993 and development plan approval has been finally obtained in 2011. The process has encountered several refusals of various proposals and stagnations due to abandoning of the various developers.

The object of comparison will on the basis of the relation of planning policy to the development process and approach followed by two local governments. The paper will draw lessons concerning the promotion of quality design in urban development processes by comparing how the problem of concerting the urban development process is handled in different urban design cultures and planning policy contexts.

1. Introduction

Downgrading conditions in many urban realms as opposed to promotion of the cities to attract new investment, places a contradictory attention on the practice of urban development in the agendas of many local governments as well as on the agendas of

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developers. (Madanipour, 2006). The diminishing economic resources available to today's local governments not allowing them to shape the urban development autonomously, propelled further by the global financial crisis of 2008, has certainly created noteworthy scarcity issues in financial resources for urban development both from public and private domains.

The above-portrayed concerns which force the urban development to take place within the available financial means, the delivery of good practice asks not only the recognition of what's good urban design but also guidance, negotiation and proactive engagement in urban development process. The key to deliver well-designed places also lies on construction of good partnership between the private and public sector and on the local governments' capacity in guiding the private sector into socially and environmentally sensitive place making. (Tiesdell & Adams, 2011). This paper acknowledges that the first aspect is dealt with by a number of resources and therefore it will examine local governments' behaviours in decision-making processes, in order to promote the good practice in urban design in different policy contexts, since today's local governments need to be more pragmatic in creating instruments which attract the participation of private sector in the development process (Alberini 2011; Tiesdell & Adams, 2011).

In the proceeding chapters, we will first deepen the insight in process approach in urban design and deepen the analysis on the decision-making environment of property developers. Then each of the case studies will be explained on the basis of the policy context and the development of the process. In the closing section the different approaches pursued in two examples will be compared.

2. Regarding the Interaction between the Urban design and Real Estate Development

2.1. Urban Design as a Process

It's important to note beforehand, the proceeding parts of the present study will take the term urban design into consideration as a process, which is aimed to create good quality. Accordingly, the urban design can be viewed as direct design and indirect design. George (1997) classifies these design activities as first order design and second order design. First order design relates to the designer as the direct author of a project whether it's a public space, a building or so. The second order design relates to the designer which does not directly design the physical characteristics of places but designs the decision-making environments, development processes or frames through which designers (of first order), financial promoters, real estate developers operate. Generally (yet not exclusively) the second order design is performed by public administrations making use of tools as plans, incentives/disincentives, infrastructure provision, economic land provision and etc. To note that in the development process, second order design occurs before the first order design. Second order design creates/forms places by creating directions for first order design mainly by set-

ting constraints and potentials. Thus carries a considerable potential for policy makers which can easily alter the physical features of future development.

Concerning the dynamics which call for a second order urban design in the context of urban development one shall principally state three principal driving factors (George, 1997): The first is about the velocity in which the decision environments may change in the contemporary era. The urban development processes incorporate dynamic factors such as economic, social and political, which may change during the development of a project. This may prove inefficiency in relying on first order design in the context of urban development which tends to be comprehensive rather than being strategic. Secondly, the number of different issues that urban design needs to address as owed to its multi-disciplinary character, urban development processes call for involvement a number of different types of actors in process. This creates fragmented decision-making environments, which first order design cannot effectively govern. Second order design however proves itself more effective in complex and fragmented decision-making environments as it produces more global and abstract objectives which can become more easily agreeable and more easily diffused in fragmented decision making environments. The third one relates to the number of different involved actors, which can be produced by the urban development projects. Unlike a traditional designer which produces a single plausible solution for a single client, the urban designer usually finds itself in front many different client with different expectations which cannot be collectively satisfied by a single traditional design. The second order design becomes more appropriate when faced with a multiple client as a range of acceptable solutions are more likely satisfy multiple interests.

Drawing on the distinction between the first order and second order design activity, we can consider the second order design activity similar to contemporary governmental practice, which is characterized by Salamon (2002) as public managers must create the incentive systems which obtains the cooperation of the actors over whom they have limited control. Yet, It's worthwhile to make a distinction between various government models as specified by Tiesdall & Adams (2011): The traditional hierarchical, top-down government systems where power flows downwards and outwards and consider that policy decisions can be implemented by a command & control systems are outdated government systems which seem to have very limited capacity and opportunity to make sound policy implementations in the contemporary conditions.

The contemporary process of governance is composed of interaction networks between governmental and non-governmental actors, power is diffuse, with all actors having specific resources with which they bargain to pursuit their own objectives. The contemporary governance model means that all actors need to operate in new ways to create mutually favourable conditions to have the cooperation of the other actors. Arguing that the contemporary network of governance shifts the importance in policy delivery from management to enablement, basing on three sets of competences listed by Salomon (2002,16): "Activation, orchestration and modulation skills" the urban designers must be able to create networks, create positive synergies

between the actors involved and make use of incentivisation and disincentivisation tools for the delivery of good practice.

2.2. Real Estate Development

Real estate development is the process, which creates the built environment and consequently transforms the forms and character of the urban settlements. As framed by Rowley (1998), the real estate sector has transformed the character and the form of the cities in most continents. The public policy is a means of managing the real estate development process ensuring a direction for what's publicly good. In weak public policy environments, real estate development tends to create market-led outcomes which reflect developers' marketing strategy or perception of what sells better (Hall, 2011); whereas strong policy guidance can make real estate development create policy-led outcomes (Tiesdell & Adams, 2011) which are more compatible to societies needs rather than being market oriented products. In order to operate effectively policy makers certainly have to have a good understanding over the dynamics, risks associated with the real estate development processes and interests of the principal actors (designers, investors, developers, landowners etc.) in the real estate development process. In the context of a diminishing role for the public sector in the urban development, such an understanding by the operators in public sector, can modify the institutional incentives, barriers and the regulatory context for the delivery of what's public good (Carmona et al. 2002). The lacking of which will most probably result in an abundance of private-led development project with limited attention to public needs.

The real estate development sector operates in cycles and it has a volatile character. Likewise the governance term, also the real estate development has undergone several significant changes during the latest decades. The contemporary developers are highly consensual on the fact the what makes the development success is the offering of the quality product at the right timing and on the right location (Tiesdell & Adams, 2011).

The state – market relations in the context of the urban development has been subject to analysis by a number of studies. At the most profound level Barrett et al. (1978), pointed out the tasks and processes where state – developer contact took place and identified the forms of it. At a later stage, Doak & Karadimitriou (2007) identified the roles played by different actors in the development process and furthermore highlighted power relations between the actors and how these come together complex structures. Ball (1998) analyzed the structure of the networks of the actors in the development process which showed that the linkages between the actors do not solely occur from economic ends but also social historic, political and cultural ones. Moreover, the study asserted that the actors engage in the process as long as it contributes to achieve their basic objectives and classified them on a detailed table according to their role, functionality, timescale, external appearance and relation. His findings demonstrated that supply-side actors (being: Landowners, developers and funders) typically have short-term financial and economic motives to engage in the project

and tend to see the development as a financial commodity. Demand side actors (investors, occupiers and community) typically have long term, and design objectives and see the development as an environment to be used. One significant key finding of the study has been the design quality globally wasn't an objective shared by the whole of the actors and objectives are also subject to internal trade-off. In his study Ball, views the debate on the development quality as a 'gap' between the conflicting objectives of supply side and demand side actors. The remediation of this gap can be performed by three means, which are regulative means, remunerative means and normative means. It's worthwhile to keep in mind that the first means is coercive and the latter two are foresee encouraging of developers via financial and normative facilitation. Given the variety of possible interventions, public sector can make use of a number of resources in order to guide the urban design practice and formation of urban development. More specific tools are explained by a number of studies (Carmona 1999, Bentley, 1999, Carmona 1998, Carmona 2002, Punter & Carmona 1997, Punter 2007).

3. The Questionable Case: Ex- Falck Area in Sesto San Giovanni

Sesto San Giovanni, located on the northern border of Milan municipality, has registered a surprising fast growth due to the industrial settlements, i.e. Pirelli, Breda, Marelli, Falck etc., which occupied a relevant size in the city since the beginning of the 20th. century. Given the intensity of the industrial activity in the city, Sesto San Giovanni pursued the role of the "industrial pole" of the Milan metropolitan area in this period and became considered as one of the principal productive centres in Italy. After 1970'ies, the period which characterized the closing up and moving out of many industrial settlements throughout the world, as well as the ending production of the Falck Factories which have left a dismissing area with large industrial structures for a city like Sesto with modest settled dimension and relatively low economic capabilities.

By the beginning of '90'ies, the owner of the area the steel production company Falck has already closed down the production and completed the dismantling of industrial structures formerly housed the production. However, the PRG² approved by the municipality in 1993, has confirmed the industrial land-use of the area (even though the industrial productions had already stopped for some years by then), which made any re-use hypothesis quite irrelevant. Furthermore, the industrial land-use attributed by PRG has also undermined the property value of the area, which rendered economically unfeasible if not unreasonable the potential sale of the area. Under these consequences, the property owner, Falck decides to propose to the Municipality an alternative transformation plan for the Falck area and for this purpose Falck commissions the architect Kenzo Tange for drawing up a masterplan covering an area of 160 ha. (Goldstein, Bonfantini, 2007) The plan proposed a linear theme park which tributes the industrial past of the area. However, the large green area (covering about 40 ha.) becomes the only feature, which receives an attention in the project of Tange.

² PRG: Piano Regolatore Generale: Stands for the general zoning plan in the Italian Planning System

Given the area owner's apparent willingness in transforming the area and the scarce quality in Tange's proposal, the municipal administration contacts the Falck group in order to reach at an agreement on the characteristics of a possible transformation. In 1997, an agreement document is signed between the owner group, local administration and Agenzia Sviluppo del Nord Milano in which establishes requisites and modality of transformation of the area. In 1998, an international idea competition is organized for the design of an Urban Park for the area. The winning project by Arch. Viganò, which proposes residential, commercial and productive uses inside an urban park, is not put into action though.

At the end of 90'ies the Falck Group sells the area to another operator Cascina Rubina Immobiliare, Gruppo Pasini, which commissions two architects (Lugli and Goggi) for preparing the new PII³ for the area, in 2001. The project proposes a series of interconnected areas with a major residential development. The proposal faces a resistance by the local administration because of the incompatibility between the proposed uses and those foreseen by the PRG of 2000. After the refusal of the proposal, the area owner decides to change the approach and commissions a group of experts from several disciplines in order to prepare the guidelines for the transformation and a new project proposal by Arch. M. Botta. In 2002, on the basis of the guidelines prepared by the commission, the Gruppo Pasini prepares a new PII proposal which contains residential, productive new uses as well as the conservation of the historic buildings.

Given the necessity to define a unitary and strategic development plan, which can be shared both by the public and private sector, the Sesto San Giovanni municipality creates a work-group Aree Falck Work Group which is composed of the municipal technical officers and various external consultants regarding the specific themes. In 2005, the technical office of the municipality by collaboration with the Aree Falck workgroup, publishes a document "organic framework reference" which aims to define a unitary urban development project which ensures an architectural quality of buildings, and of the street furniture in the entire site. This document becomes integrated part of the guidelines prepared in 2000.

In 2005, The Zunino Group acquires the Falck area from the Pasini group, at a distance of three months, the Zunino Group commissions Renzo Piano Building Workshop for the preparation of the masterplan for the area. In 2006, a preliminary proposal of PII to the municipality council, the discussions of administration and a public consulting which takes place at a period of one year. In 2008, the updated PII, revised based on the observations of the commission and work group, is once again presented. However, by the raising voices of global crisis and by the Zunino Group

³ PII: Programmi Integrati d'Intervento (Translation: Integrated Intervention Programs). Italian Law 179, 17/2/1992 (Bossetti & Gatti, 2011). A recent implementation tool in Lombardy Region which disciplines requalification of the urban fabric by the intervention of a mix of uses and building typologies to be promoted as a private (or public-private consortium) initiative.

decides to sell the Falck area. After two years of negotiation with several real estate operators, finally in 2010, the Sesto Immobiliare acquires the area and 2011, a new preliminary plan of PII is proposed by the same project author. After 2 revisions as requested by the municipal administration, in the septemeber 2011, the proposed PII becomes finally approved.

4. The Virtuous Case: Beaulieu Park in Chelmsford Town

Chelmsford town is a small borough with a population around 150.000 and it's situated on the north - east of London, and it's the center of the county Essex. The town has achieved to grow continuously as a part of County policies, even after the decline in the manufacturing sector, which is compensated by the expansion in the service sectors. In order to sustain it's growth the town has faced a substantial and ongoing house-building programmes. However, as noted by Hall (2011, 75) the physical features of the development which has been formed during 1960 – 1970'ies was has been mediocre so far, uninspiring and far from satisfactory.

The “reversing” of the town’s ordinary history in town planning, the first move was made by the new administration by the adoption of a new local plan in 1997, which structured the whole town’s future development. Moreover, the county of Essex has also emanated a revised design guide to supplement planning guidance on the county level. As asserted by Hall (2011): These two elements have been the legislative foundation for a progress in a town-wide the design control. Though the breaking point in the town’s planning history has actually been the change of the philosophy pursued by the new local administration, which attributes an important role to urban design in the development process, accepting urban design as an integral part of the planning activity and created a significant difference in the ongoing practice, because urban design is not a statutorily required function of planning authority in the English planning system rather it has a promotional standing.

The overall goal adapted by the Chelmsford local government was to make places by envisaging, shaping and managing change. This implied reasoning in different scales (town, neighbourhood and street); taking account of different information, using the density as the context for design and using the quality term as a glue which holds the whole together.

Still the progress cannot be made solely by definition of global goals yet they needed to be translated into site – specific guidelines. The overall global spatial strategy was translated into a development plan employing a long-term vision. The new plan prepared in 1997, emphasized policies encouraging intensity of the development and accessibility which put a significant attention on the brownfield land. In the translation of the generic design goals into operative guidelines the town Chelmsford used the county-wide design guide as a basis which applied on generic aspects of the future design.

The most crucial aspect of having a clear spatial policy translated into specific design guidelines from the development point of view is the bridging role it sets up between the authority and the developer. This way, all the relevant aspects that the planning authority expects, are clearly transmitted to a potential developer.

In the aim to provide the quality in urban development the local administration made use of another planning tool in order to take a more active role in the project development process. The planning brief – a synthetic site-specific document addressing the physical and design features of an eventual future development – acted as the principal vehicle in taking a proactive approach in the development process. The council prepared planning briefs for the sites available for development or for those whose development it promoted. By doing this, the design principles and guidelines for a site were being set-out beforehand. The essential role of this tool played is asserted by Hall (2011, 76) as: “They often helped to unlock complex urban sites, if done quickly they influences value, increased certainty and established a design approach before negotiations took place.”

In the practice all the site specific types of guidance normally contained a review of purpose of the guidance; site appraisal; policy context; design principles to be applied to the site. In addition a proactive engagement enriched this document by diagrams of the desired building blocks, frontages access and uses and guidance on implementation.

The distinctive character of these design briefs were their significant detail in which they address the physical structure of the new development. Block sizes, active facades, location of open spaces were all defined in the brief in order to leave less room to move if the all design guides is to be followed. Hall (2011), claims that this level of detail received a positive reaction by the developers in Chelmsford on the basis that, developer knew right from the beginning the position and the idea of public administration which saved them time in the process of planning approval.

Even though a having a clear policy and guidance of future development and a proactive role in the process the local administration has also engaged in ongoing negotiation with developers and their professional agents. In some instances the proposals were handled by a group of professionals from different disciplines. Despite being time consuming negotiation also proved useful when done in positive and constructive manner in order to reach the desired results.

The Beaulieu park project site lies on the north-east margin of the Chelmsford town and covers about 370.000sqm of green land (CABE, 2004). It's a project carried out in two phases, to be realized by multiple developers. The initial planning brief, approved by the council in 1996, hadn't foresee any detail on the physical form further than pedestrian and vehicle access and location of playgrounds. The local government at that time had the expectation that the initiative on design can be left to housebuilders (Hall, 2011). Therefore in the first phase of the project the developers proceeded by producing their own masterplan, which set out a spine of road network,

unable to form building blocks, defining the overall development scheme of the whole area. Later on a variant of the masterplan has divided the land into parcels to enable the construction. More specifically, the first two stages of the development consisted principally of large detached housing aligned by main roads and placing the smaller-sized housing as well as social housing to the marginal portions of the site. Thus, the initial phase of the development reflected an urban development scheme from the developers' perspective. As in Hall's words (2011,80): "this followed the desire of house builders at the time to 'front' their schemes with what they considered to be the most impressive houses, relegating the smaller properties, including the social housing to the rear of the site."

In 2000, when the development of the northern part of the Beaulieu Park was brought into agenda, the urban design team of town's planning council has taken advantage of this opportunity and prepared a design brief for the site in the form of masterplan. The design brief consisted of a site appraisal, a prescriptive masterplan diagram addressing the location of blocks, facades, pedestrian routes and open spaces. The result achieved by the latest stage was clearly distinguishable from the precedent stages. Larger detached houses were replaced by smaller, with different styles, more façade continuity and higher density were achieved. Furthermore the social housing was seamlessly integrated to the rest of the built fabric and it was indistinguishable. The new scheme adopted a range of architectural styles which provided a deliberate diversity and gave a distinct character to the development at the most intimate scale.

According to CABA (2006, 32) the developers of Beaulieu Park scheme expressed that the masterplan has been very useful in making clear the expectations of local authority. As affirmed by CABA (2004), the developers haven't objected to these as they recognized the higher quality in the scheme proposed by council and furthermore satisfaction of those requests speed the process up considerably. The cooperation between the planning council and developers produced a final settlement scheme which is detailed loyally to the initial masterplan.

5. Conclusions

A narrative based comparison between two public administrations of similar sizes essentially demonstrates how the problem of concerting the urban development process is handled in different planning cultures and policy contexts. In order to concretize further the dependability of the outcomes of this comparison was made between two development projects of similar sizes.

For an understanding of how urban design policy could impact developers' decision-making with positive outcomes the Beaulieu Park at Chelmsford is accepted to be a reliable example where public administration succeeds in making realize what is publicly desired by a proactive engagement and negotiation. On the contrary, in case of the ex-Falck Area in Sesto San Giovanni poses an equally important example where the public inertia unable to provide a shared vision for the future of the area, forces the private sector to take a pivotal position in visioning the probable future scenarios for the area and public administration remains as passive actor which relies

solely on its legislative powers in managing a highly complex development process. More specifically, perhaps the principal inadequate move made by the government was in the contents of the zoning plan approved in 1993. A simple short sightedness in grasping the potential of the area by approving a land-use which had already chosen to abandon the area, not only decreased the market value of the land but also forced the private sector (the land-owner in this case) to generate a new scenario principally in order to keep the value of its assets. Consequently, the private sector became the promoter of the future urban development in the area as the option of cession of the land has become economically unfeasible by the new zoning regulation.

The development of the rest of the project which sustains 28 years between the initial development proposal and undersigning of development plan for the area, takes place in the form of highly recursive process composed of four cycles starting by the proposal of a new masterplan (by different designers commissioned by different private operators) and concludes by refusal of the masterplan proposal by local government which also causes the private to abandon the project. It's important to underline what's criticized here is not the refusal itself; but the inefficiency caused by the passive role played by local government which doesn't go beyond an "officer" who approves or refuses the private proposals rather than taking a proactive role in development of an area with certain potentials.

During all four cycles, we witness a project development majorly in line with property developers' philosophy indeed the all of the four owners of the area choose to commission renowned architects or except the first owner which also organizes a international ideas competition for the development of the area. It seems plausible that in an ambiguous decision-making environment, property developers make use of important architect names as a proof of the validity or the quality of their development proposal in order to convince the local government to grant approval. Moreover, the fact that the third private developer which had to sell the area in 2010, as majorly affected by the downturn of the real estate market, is a further sign of the prolonged development process being incompatible with the property markets character of cyclical functioning.

The development of the Beaulieu park on the other hand, demonstrates a more successful approach in the management of the urban development processes which goes beyond the usual management via proposal-refusal-revision cycle. The proactive approach shown by the public administration ensures the delivery of the expected results by the public administration. This became the principal breaking point which makes the Chelmsford case distinct from the Sesto San Giovanni's approach to the development process and which marks a distinction in the planning history of the Chelmsford town as well. The planning council, aware of the crucial need to transmit their own opinion regarding the spatial features of good quality development, made use of a tool which already existed in the system with an adequate operational rapidity. Preparing the design brief's on development areas has given the privileged position to public administration to act as the pivotal actor in the development process.

Moreover, it also clearly transmitted the public administrations expectations on an area well before the development begins. From the developers' point of view this has already been a major progress because the developers were able to understand clearly what was expected from a certain land (Hall, 2011, CABE 2004), which proved to be time saving in obtaining the planning permissions. Further to the successful pivotal position pursued by the government which enabled them to put their second order design skills effectively on the table. However, the proactive engagement in the process, which is open to constructive negotiation, has become the substantial drivers of the success in the delivery of the good quality in future development.

The comparative approach attained in this study not only demonstrates how the large-scale urban development is managed in different policy contexts by similar sized local governments. The outcomes show the inefficiency of conventional proposal-refusal planning system in managing complex development processes and its incompatibility with property market cycles. Furthermore, the study evidences the only possible way in overcoming the development plans shaped from the private perspective is taking proactive approach and bridging the public expertise and know-how to developers who otherwise tend to form the development according to what sells better as noted by Hall (2011,81).

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