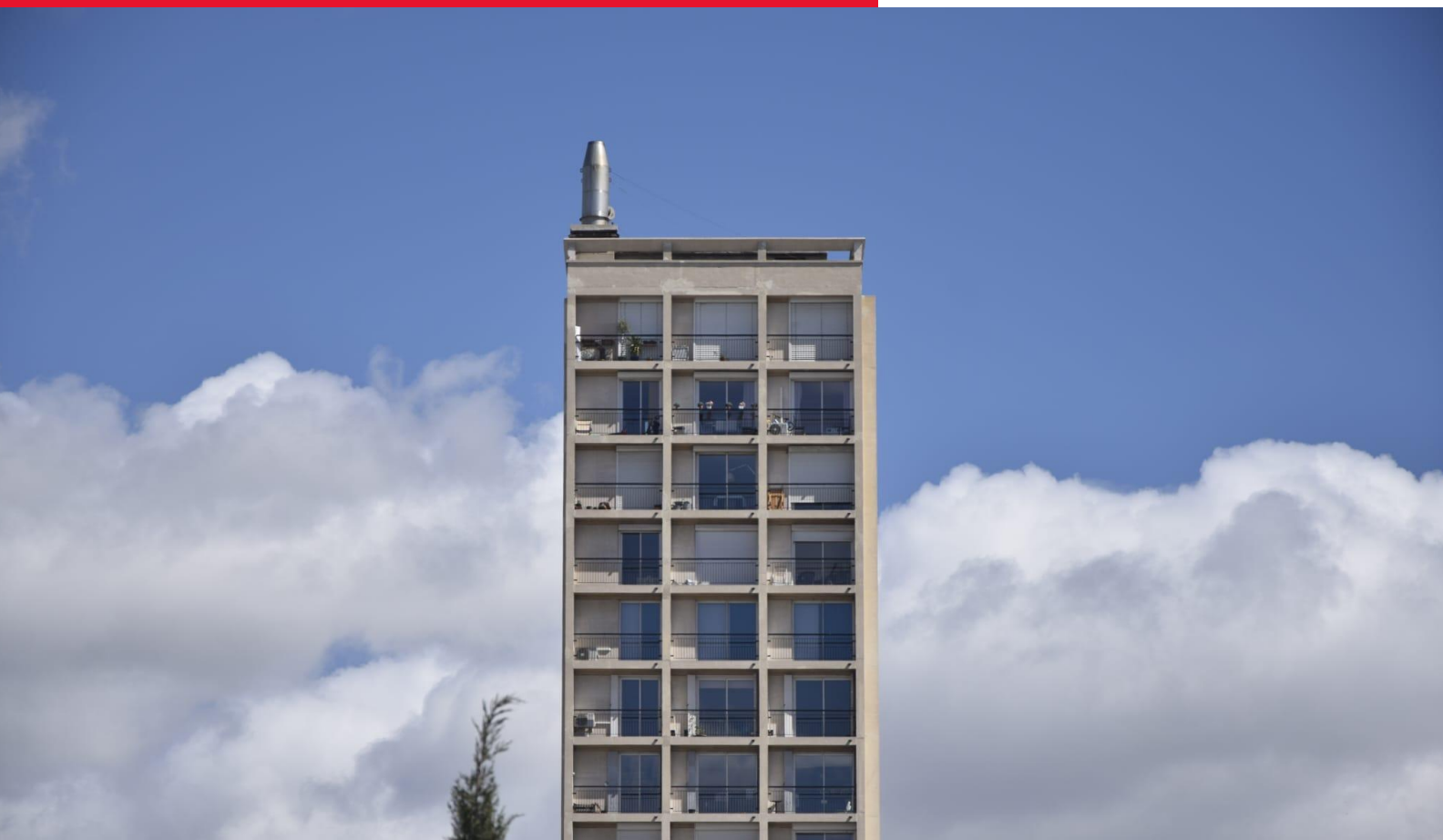


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Citizen participation and real estate development

Developing virtuous practices in the context of ecological transitions

*Governing Ecological Transitions in European Cities
(GETEC)*

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PREFACE

Traditionally, developers and city governments have had two choices for initiating new construction projects: either extend the city on empty land, or redevelop existing plots, generally by bringing it more density and functional changes. In France and all around Europe, the first option has historically been the main mean of enlarging the housing supply, generating sprawl, and single-family-house, mono-functional neighborhoods.

As the legal environment adapts to the needs of the ecological transition, this window of opportunity for such developments is progressively closing. New local reglementations tend to limit sprawl, resulting in a de facto prohibition. Even when allowed, the new Zéro Artificialisation Nette (ZAN) framework, adopted at the national level as a derivation of the European « no net land take » objective, is likely to drive up the costs of urbanization at unsustainable levels for both the private and public sectors.

On the other hand, the « urban intensification » model, indirectly promoted by stronger regulations, is facing its own problems. More costly by nature (densifying may imply demolition costs, heavier studies, occasional depollution works...), densification projects are often confronted with strong local oppositions, and an absence of political support. While it may result in a net-positive outcome (in terms of housing stock, affordability and greenhouse gas emissions for instance), thus approaching a definition of « general interest », density is no longer consensual. New heterogenous coalitions form around climate activists and small-scale NIMBY lobbies, generating new risks for traditional businesses involved in the urban « growth machine ».

As shared, large-scale territorial projects are often missing, and while the democratic sentiment itself is eroding, developers and city governments both find themselves in a tightening vise regarding urban development. This study aims at exploring why and how private actors may navigate through this extremely uncertain and moving landscape. It questions their role in the public debate, their operational processes regarding public participation, without ignoring their business models.

Based on precious case studies from various cities and actors, it builds upon a few prerequisites: for instance, that « there is no good policy ». Densification may indeed make a few losers, that can be taken into account by a new « resilience coalition » through a form of « urbanisme de la contrepartie », as long as the positives outweigh the negatives. The study found, in the process, an evermore urgent sense of actuality, with the housing crisis unfolding in France and the political debate around the CNR. Its conclusion and its recommendations, therefore, form an important contribution to a very present and very pressing public conversation.

THE PARTNERS

This capstone project was supervised by the Research Chair “Cities, Housing and Real Estate” of the Urban School of Sciences Po Paris, whose goal is to “contribute to analysis of changes within the real estate sector, from the unique perspective of an approach rooted in the theoretical and methodological tools of the social sciences.”

Moreover, through this project, we worked with two private partners: Eiffage Immobilier and the Fédération des Promoteurs Immobiliers (FPI). Eiffage Immobilier is builder-developer of new diversified housing projects all over France, and FPI France the only professional body representing private real estate developers in the country.

METHODOLOGY

Through our work, our goal was twofold: identify and analyze current blockages of housing projects, and develop recommendations for real estate developers to facilitate the dialogue with local actors and smoothen tensions, as well as to ease their transition towards environmentally-virtuous practices. To do so, we developed a methodology based on three elements.

Firstly, we conducted a literature review based on academic articles, newspapers, but also a study of current national and local regulations in place in the construction sector, and charters implemented. This work allowed us to gain a clearer understanding of dynamics at play between stakeholders and their interests confronted to a sector in transition. Some researchers and journalists were interviewed to go deeper into certain topics.

Secondly, we completed more than 40 interviews with several actors to get the sides of different professions in various contexts and complete our overview of the issue. Therefore, we discussed with real estate developers, urban planners, territorial civil servants, consultation experts, local elected officials, citizen collectives and researchers. Most interviews were done on zoom, but we had the opportunity to meet some of them while doing our case studies. Those fieldworks were aimed at exploring virtuous practices in a local context, study how actors faced similar issues to the ones our partners were facing, and locate those issues in an urban governance framework. We went to one European city, Brussels, and three French towns, Marseille, Rennes, and Nantes.

Thirdly, the questionnaire attempted to diagnose observed blockages, and have a larger perspective of their unfolding for real estate developers, as well as observe their current practice of communication with local actors. The diffusion occurred through the FPI. Eight answers were received and allowed to test and confirm the hypotheses observed in the previous qualitative methods.

FIELD WORK

We went to four cities to see the dynamics at play between actors on the paradigm shift of the construction sector in a context of environmental crisis. Firstly, we went to Brussels, to understand the notion of 'quality density' and its articulation around the housing crisis and environmental issues, to develop a positive governance and best practices useful for real estate developers. Some insights include: understand the temporality of participation, improve representativity in public consultations, and consider densification as a strategic stake.

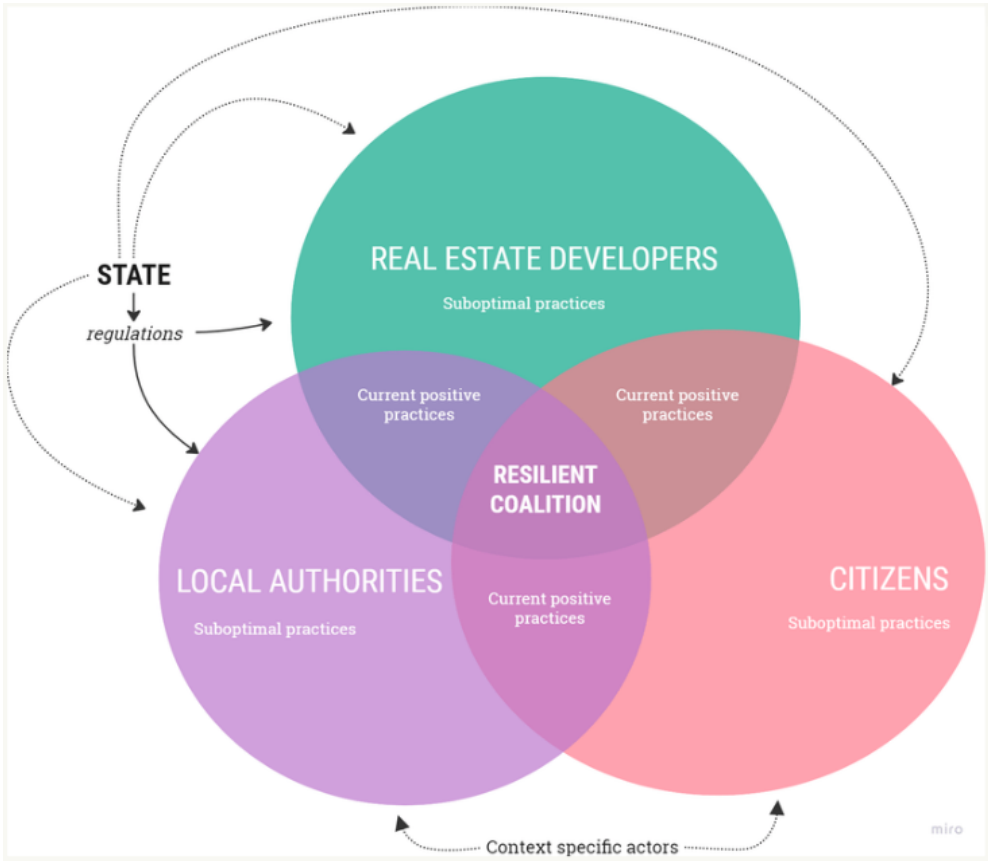
The rest of our case studies remained in France, starting with Marseille. We traveled there to study the vibrant transitional processes of the construction and urban development sectors, as well as efforts from city officials to develop participation-oriented initiatives. Several conclusions can be drawn: real estate developers transitioning and promoting innovative practices; the diversity of points of view on current regulations and the level of engagement to adopt in developers' business models; and an expanding citizen participation supported by the city. Thirdly, we met with actors in Rennes to discuss the implementation of densification and its impacts on the urban area, as well as the development of citizen participation in key projects and the opportunities it offers for real estate developers. Insights include: the role of an influential public sector in the making of the city and expectations of inhabitants as a response; densification as a territorial issue; and the division of responsibilities between actors involved in citizen participation. Lastly, our final case study occurred in Nantes, a city committed to citizen participation and environmental innovation in urban renewal; making it an attractive terrain for real estate developers. Through this visit, we sought to focus on emblematic projects illustrating well the issue at hand (Ile de Nantes, Pirmil-Les-Isles, Doulou-Gohards). Conclusions can be highlighted: the role of politicians in organizing participation and their failure to do so resulting in the formation of opposition groups, the diversity of methods and tools to lead public consultations, and the importance of continuity in participation.

THE CHALLENGES

The 2008 crisis marked the beginning of a period defined by several academics as a condition of chronic housing crisis (Clair et A. 2016, Delclòs & Vidal 2021, Gallant 2016, Priemus & Whitehead 2014). Even though the French real estate sector has proven to be more resilient than other European counterparts (Priemus & Whitehead 2014) an increasing pressure has been accumulating at both ends of the spectrum. In fact, on one hand, citizens are facing affordability issues, and on the other hand, real estate developers encounter more and more challenges in their everyday practice and medium and long-term investments. Their performance has been strongly affected by external factors such as inflated costs and new laws and regulations, and more in particular by the new constraints that surround the concept of ecological transition. The renewed attention to climate change, and the fact that the building sector in France contributes to almost 20% of the total French emissions (HCC 2021), have contributed to the abovementioned pressure, and this had repercussions also on the political and social cohesion. Furthermore, the housing sector is indirectly responsible for a consistent share of emissions also in other sectors, due to its influence on water and energy consumption patterns, and even on transportation habits. For instance, in the low-carbon national strategy (SNBC), it is shown that the building sector alone contributes to

30% of the total emissions, if accounting just for the energy and water consumed inside buildings (SNBC 2020, 18). Problems of political legitimacy, citizens' opposition, and the current geopolitical situation inevitably intersect with the new ecological demands, creating the conditions for a perfect storm in the real estate development sector.

We identify three main actors that are constantly involved in the complex dynamics surrounding all the challenges mentioned above: real estate developers, public authorities, and the citizens. The collaboration of these three stakeholders is required for real estate projects to have successful, long-lasting outcomes. However, in the current state of things, relations between these groups often present friction and actors seem not to manage to find common grounds between competing interests and objectives. This report will analyze these friction points and the subsequent necessity for better collaboration between actors from a governance perspective. Doing so will allow for a clear identification of current positive and sub-optimal practices, to then provide an explicit account on a set of practices that should be followed in order to achieve a "resilient coalition" that manages to transform conflict and frictions into negotiation and collaboration towards a sustainable and ecological constructions of cities.



"The resilient coalition interactions", 2022. © Graphic produced by the authors of the report

RESULTS

Our results were twofold: general conclusions on our research, and a set of recommendations following them.

I. GENERAL CONCLUSIONS

STEP 1. Smoothing transitions: internal change and proactiveness for resilience

There is the need to understand what ecological transition means, what it implies for the sector, and then embrace these processes in order to thrive as companies. To achieve these objectives, we identified three fundamental features that real estate developers need to develop.

1. Accepting the need for an internal transformation of practices.

The first step in order to be able to change and thrive within the new boundaries set by the ecological transition is to put the current practices under scrutiny and confront them with the new social, economic, and environmental requirements in order to design a new approach to real estate development.

Real estate developers are not asked anymore just to follow an *arrive-build-make profit-leave* kind of scheme. They are considered as an integral part of the development of cities and towns, and thus are responsible for a set of additional, long-term aspects that are social and environmental in nature, and that require careful planning.

2. Building expertise in-house and collaborating with other professionals to overcome expertise gaps

If accepting the need for a sectorial-wide change in the practices requires a comprehensive intellectual effort, achieving such a transition requires expertise coming from different fields. Consequently, it is crucial for real estate developers to build expertise that reflects, and potentially foresees, the changes required by the ecological transition

We are aware that real estate developers, especially smaller ones, may not have the resources to develop in-house expertise in all the required fields or to follow all the necessary projects. To overcome this obstacle, our field research suggests that it is compelling to collaborate with other specialized professionals in order to still be able to create this link between the real estate development sector and the broader social and environmental (long-term) needs of the territory.

3. Developing a proactive approach to building and overcoming compliance-based mechanisms

The third step, and perhaps the most important of all, has to do with the concept of proactiveness. Our interviews highlight the importance of being ready to adapt to the situation, to anticipate the trends and regulations, and to experiment in order to thrive.

Being proactive for a developer could take various forms and shapes. Some interesting examples that we encountered were the voluntary creation and signature of “construction charters” with the participation of public authorities and citizens, the adoption of above-law environmental and energy standards for real estate projects, the role of developers’ federations in developing new frameworks offering ecological targets for developers in their practice, the development of impact assessments, and the creation of project-specific initiatives (such as transitory urbanism).

Acting “beyond regulations” is a winning strategy especially because in that way real estate developers become allies to public authorities, with potential positive repercussions on the whole sector.

STEP 2. Moving real estate towards sustainability: quality, densification, diversification

Building on the expertise, and coupled with a decisive proactive approach, real estate developers ought to revamp their sector in the light of sustainability requirements. Revamping and adapting real estate to sustainability prerequisites is necessary for obvious environmental-related concerns, while it allows to enhance the acceptance of projects.

1. Densification: a key grand strategy for sustainable urban development.

Beyond the obvious choice of materials, construction regulations steer in the direction of densification, as it is a critical shift that needs to operate in the sustainable building of cities. A key element is that densification should not be done without a special organization. The question is to be asked at the scale of the territory, as intensification aims at balancing it in terms of services, population, and jobs.

Planification belongs to public authorities’ competence, but real estate developers are the ones practically intensifying the city through their construction. Additionally, to the shape they give to the project, their awareness of the importance of densification, as well as its complexity, ought to be a guiding principle when it comes to acting within sustainable practices.

2. What future for the construction of new buildings?

New construction ought to be performed in a reasoned manner, thinking whether at the project level it is conducive of positive outcomes, overtaking of renovation or restructuration of the building is in place. Yet, this requires building less for real estate developers, and to revamp their business and professional models.

Yet, if as mentioned above, new construction appears as a necessary solution for a determined reason, the practices also present a way of improvements. The development of an internal updated grid, accounting for detailed social and environmental factors, appears as a highly relevant solution to change real estate development practices and ensure the incorporation of socio environmental concerns at the core of the development project.

3. Developing “quality urbanism”

On densification, what we observed was that it was not systematically opposed by principle, but rather as its image did not seem compatible with what is qualified as “quality urbanism”. Inhabitants would accept better projects that display a higher larger quality of living. Overall, the quality urbanism approach has to adopt a holistic perspective on the amenities proposed. Furthermore, the relevance of aesthetics should not be ignored. A certain comprehension of local culture and architecture, instead of what tends to be perceived as a uniform city built in concrete.

Facing this perceived loss by inhabitants, *urbanisme de la contrepartie* may attempt to compensate for it. Firstly, it is important to consider that *urbanisme de contrepartie* may go beyond financial compensation, as life quality and common spaces concerns become more pregnant. *Contrepartie* has to be understood in the specific context of a project, hence the importance of engaging inhabitants in participation and opening a dialogue with local authorities, in order to better anticipate the territorial expectations that may be present. *Contrepartie* should be mainstreamed and institutionalized by real estate developers, limiting conflicts and allowing actors’ interests to align.

STEP 3. Developing a virtuous participation approach: mainstreaming negotiation

In a fragmented urban landscape, real estate developers looking to be virtuous might face limits to their projects. Indeed, multiple actors have diverging interests that can clash and lead to a sub-optimization of the fabric of the city. One way to avoid this dead-end appears to be citizen participation.

1. The need to conceptualize participation prior to implementing it.

There is a true necessity to reflect on determining questions before choosing to engage in participation.

Firstly, actors embedded in organizing the participation need to decide on the flexibility of the project. Indeed, there are always invariants that will not be modified; which in turn limit the agency of citizens and the level of collaboration they will have with developers and city officials.

A second point to agree on before launching citizen participation is to set its goals. Here, actors in charge of it need to realize that it is not about convincing all participants on all topics, and that its outcome won’t necessarily lead to universal acceptance.

Based on the goal set by the actors, the third preparatory step is to explore the diversity of participation practices to select the one best fit for your objectives and the local context of the project.

Finally, a last step to achieve before implementation is to choose the consultation methods. Here, it is important to note that there are multiple ways to participate, and depending on the stages of the process, real estate developers can select various approaches. In fact, all levels of participation deserve to be explored.

2. Organizing participation

Participation is a shared responsibility between public and private actors. The public sector plays a key role in the smooth running of participation. The governance of the participation requires a strong political support of the project in order to defend the choices decided by the State in terms of environmental regulations (e.g. ZAN) and urban planning (e.g. quantity of housing needed; zoning...). Political support is essential and no delegation is possible.

While politicians have a primary role to play in participation, this does not negate the critical role of real estate developers. The latter are responsible for their actions and are a stakeholder in the participation process.

As the demand for citizen participation in real estate projects grows, consultation agencies are gaining increasing influence. As third parties, they present themselves as an effective alternative for public and private actors who do not have the necessary expertise to organize participation.

The question of the temporality of participation in the project is essential, as it ought to be a continuous process. Generally speaking, the earlier the participation takes place in the project with proactive construction actors, the more beneficial its effects will be. Also, the participation process should not be limited to a single moment but should be a constant throughout the project

3. What to do about tensions remaining after participation?

Eventually, at the end of a project and after completing the steps of the participatory approach chosen, it is still possible to see tensions and opposition arise. As explained, the goal of consulting with citizens is not to get a unanimous acceptance, but seeing those residual conflicts can be discouraging for real estate developers looking to build more virtuous projects.

All in all, while it is important to develop a virtuous project and participatory process for real estate developers in collaboration with other relevant actors, people will most likely continue to perceive they have lost something and this loss can be a platform for blockages. As such, participation is not about reaching for a perfect consensus, but to build long-term trust among actors by listening and adapting to everyone's interests and concerns.

CONCLUSION: TOWARDS A NEW BUSINESS MODEL

As environmental concerns arise, the model of sole new building construction can hardly be upheld. Environmental regulations are tightening and scenarios for a shift to low carbon call for rethinking the balance towards more renovation and rehabilitation, limiting the construction of new buildings. What is the place for a real estate developer in this model? In order to thrive, a new business model has to be developed, operational and procedural aspects of the business shall be revamped. We identified three main pillars of this new real estate development model.

- **Proactivity.** In this new business model, real estate developers engage in proactiveness, and - helped by expertise and capacity-building - manage to

anticipate the changes in their sector instead of suffering from them. In this context, real estate developers can be less vulnerable to change in a fast-paced changing environment, increasing their resiliency.

- **Environmental and social quality.** Quality housing is increasingly demanded, for personal as well as public space, the housing that is produced should be long lasting and adapted to the current and coming climate deregulations. The diversification of real estate developer's activity towards other models - such as renovation and rehabilitation - seems key in the production of housing that respects those criteria.
- **Actors network.** Densification and more generally the transitioning of the territorial planning will lead developers to create new collaborations with the city's actors. In order to move toward a sustainable and virtuous development of the city, new resilient coalitions should be created between developers, public authorities and citizens. In this process, citizen participation in real estate projects becomes a main requirement in order to build a project which expresses citizen's values and needs.

II. RECOMMENDATIONS

Part of our work was to develop recommendations to propose best practices for real estate developers facing this transition in the construction sector and improve their relation with citizen participation:

A Resilient Coalition

- *Play collectively*

Developers should envision themselves as part of a Resilient Coalition working towards a shared goal of environmental transition, including territorial development, as well as the creation of dense, pleasant and walkable neighborhoods. As such, they should expect that their practice will be increasingly incorporated into a network of actors (urban planners, architects, owners, elected officials) because projects will have to meet new ecological and urban criteria. In this optic, they can support the implementation of public participation projects and collaborate with different actors to put them in place in their projects (especially city officials, regional administration and third-party mediators).

- *An absence of territorial vision puts any project at risk*

Developers should insert themselves within a democratically legitimized territorial project, in accordance with public authorities. They have to be then aware of the multiple processes in place also in terms of participation. Acknowledging their role as stakeholders, they should welcome and foster deepened efforts of public participation initiated by local governments, especially regarding planning documents. In the same way tools, such as charters, may contribute to a healthy and secure democratic environment.

Towards a renewed business model

- *Transition to win*

Developers are facing reduced margins, and it is unlikely that the traditional expansionary growth paradigm of the building sector will continue as it used to. Such a transformation, while putting the old business model in jeopardy, offers vast opportunities to explore new

solutions and flourish as a company. For this reason, to keep thriving, real estate developers have to innovate and embrace change.

- *Diversify activity beyond urban extension*

More flexibility ought to be implemented into the real estate business model. Renovation, densification and rehabilitation will soon become increasingly important, questioning both operational and procedural aspects of business units.

Facing the regulation changes in the real estate sectors

- *Anticipation is key.*

In the ecological transition, anticipation is critical. Real estate developers should be the ones engaging in change within their practices, before the state has to impose it on them.

- *Inform, reflect, share.*

Real estate developers have to organize in order to think about the transition of their practices, and monitor the changes required. Federations can play a fundamental role in opening those spaces for discussion.

- *Expertise is essential.*

Expertise is key in order to accompany real estate developers in the ecological transition. Learning new skills is crucial to be able to navigate the technical, political, and social complexities.

Quality densification and acceptability

- *Quality urbanism is key in anticipating the acceptability of the project.*

Proposing projects that fulfill aesthetic and architectural qualities, coupled with amenities that satisfy the needs of inhabitants. Quality can be declined in several project parameters: green spaces, shared spaces, public or semi-public amenities, public spaces, materials and design, energy use, local shops...

- *Quality and densification are complementary*

Beyond its intrinsic ecological value, densification offers consequent opportunities to foster quality of life, health, local economic and community development, shared and green spaces, and qualitative mixed-use buildings...

- *Densification is not a monolith*

Densification is context-specific. The fact that there are different approaches and kinds of densification depending on the area (city center, second layer, socioeconomic factors, environmental constraints...), allows for maneuvering space in programming any project. The outcomes of the project, positive and negative, moreover, can be approached at both a micro- and macro-levels. For a real estate developer, the alignment of these two levels becomes a factor of success.

- *Contrepartie is not only about financial transfers*

The idea of *contrepartie*, as well as our suggestion of “resilient coalition”, are needed to maximize the benefits for all stakeholders in a project, while at the same time minimizing all

the potential losses. Acknowledging that even an optimized project might make some losing parts, negotiating *contreparties* of various forms becomes an instrument of consensus-building.

- *Coalize with the civil society.*

The emergence of a strong, civic YIMBY movement, that supports the construction of a new necessary, environmentally virtuous housing stock, could constitute an opportunity for developers.

Developing virtuous practices in participation : before

- *Participation management is about responsibility-taking and negotiations over objectives:*

Public authorities are the responsible and most legitimate actors to carry out the territorial vision for a project, also in terms of participation.

However, this does not mean that developers have no responsibility in the participation process. It is essential to develop a phase of research (field study) and reflection before implementing the participation, as to understand the dynamics on the ground and how to ensure a great representativity of populations (ex: diversity) as well as to theorize the kind of participation you want to implement. This effort becomes an important aspect of risk assessment and mitigation.

- *Be prepared, otherwise reach out to other professionals.*

Real estate developers should be training for participation and learning to engage with citizens, as more and more projects require in-depth processes of participation.

- *Participation too is context dependent:*

Preferences, requirements of participation and expectations of citizens vary from a territory to another, from a neighborhood to another. Some particular situations might require a high level of participation. In the same way, different participation processes may bring out different outcomes, and should therefore be selected strategically.

- *Engage in genuine exchanges early on*

Having the invariants settled with the local authorities before engaging in the consultation is essential. The elements on which the real estate developers (alongside with the local public authorities) aim at consulting should be clarified before engaging the consultation process. A concentration in which the invariants are not settled is very likely to fail. While participation could be seen as a commercial or marketing tool implemented to legitimize the project, it should stay focused on creating additional value in the project.

- *Start participation as early as possible*

Participation should be engaged at a early stage of the project, so that a certain degree of flexibility should be permitted and anticipated in the development project, so that the consultation can be producing of changes

Developing virtuous practices in participation : during and after

- *Consultation ought to be a continuous process.*

As developers should envision themselves as long-term partners of territorial development, they should maintain a steady emphasis on participation and feedback, including after the delivery of the project. Considering certain process changes, this can be mainstreamed into the usual activities of the developers, such as customer service.

- *Avoid listening only to the usual suspects*

While large portions of concertation projects are taken up by certain categories of inhabitants (e.g. the elderly), but also most often the ones against the project, real estate developers should attempt to mobilize other categories. Even beyond evident inclusivity and democratic concerns, turning towards other categories could make supporters of the project heard, mobilize the general interests, and sometimes shift the concentration in favor of the project development.

- *Concertation is about listening, not only explaining*

Illustrating the project to the inhabitants is essential, it may enhance desirability and allow citizens to project themselves in the future location. However, consultation is not about explaining only, but also being willing to listen and change. Explaining clearly the reason why some propositions are rejected to the citizens is essential in this process. Yet, construction involves complex technical elements that deserve to be explained and clarified in a genuine manner by all stakeholders of the project (architects, developers, engineers, public authorities...).

LESSONS LEARNED

Transformations of the real estate sector in the context of ecological transitions

Directly focused on the field and practices of real estate developers, those months of work provided us with an in-depth look on this profession. And the observation extended way beyond the question of citizen participation, as the blockages observed on the field by real estate developers are deeply intertwined within actor games in the context of ecological transitions. The term of resilient coalition we coined encapsulates such interconnection between various actors and stakes.

On this question of the ecological transition, a clear take-away of our work is the call for expertise and proactiveness, in order to improve urban development practices towards sustainability. As the building industry is one of the most polluting and housing stock producing a strong inertia, the real estate development sector has a large potential but also great responsibility to act in this context. Yet, this requires a deep transformation of their profession, especially as the construction of new buildings is to be supplemented, if not taken up by renovation and rehabilitation. Piling up into this complex equation, the current housing crisis questions as well the need for further constructions of a new housing stock. The role of real estate developers remains unclear and puzzling, but despite the challenges posed, transition of real estate development could also be an opportunity to explore new solutions and flourish as a company.

With regards to citizen participation, though consultation practices are currently put in place by real estate developers, the way they unfold appears as suboptimal, mismatching the demands and stakes it involves. Beyond the evolution of practices (object of detailed recommendations), the way participation and inhabitants are conceived has to evolve within real estate developers mind. Though one cannot but acknowledge the existence of abusive

legal pleas, most inhabitants also wish to participate in the reflection of urban development for genuine concerns, especially socio-environmental ones. If conducted well and democratically, participation could be the occasion to improve projects. Negotiation and *contrepartie* should be mainstreamed and institutionalized at the project level.

Reflections on this professional experience

On a personal level, this experience allowed us to discover the articulations and stakes of real estate development. The research experience conducted was an opportunity to meet various - public and private - actors working in urban development.

Exchanging with them about their perspective on participation, but also on the ecological transition of the housing sector was stimulating, and allowed us to confront their various perspectives. Through this experience, we could grasp the complexity of ecological transitions, especially with the deep stakes it represents for actors on which environmental regulations are imposed upon.

TO KNOW MORE...

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