

# SHOPPING MALL AS PRIVATELY OWNED PUBLIC SPACE: A NEW APPROACH FOR DESIGNING PUBLIC SPACE

*Steven HO Chun Wang*

School of Architecture, The Chinese University of Hong Kong,  
Wong Foo Yuen Building, China, Email: stevenho11@hotmail.com

**ABSTRACT:** Since Hong Kong SAR Government aims to improve the urban environment by providing public spaces in private properties, it encourages developers to provide these spaces by offering a plot ratio bonus. Privatization of public spaces is a trend of new urban developments in high-density city such as Hong Kong. On paper, this seems to make sense; however, how public are those new “public spaces”? Many of the newly created spaces are difficult to access for the public and in the spaces important public rights are restricted. In response to the failure of many of these spaces, we have to reconsider the general approach and reinvent spaces that truly can promote public life in our city.

**KEYWORDS:** shopping mall, public space, urban design, privatization, privately owned public space

## 1 INTRODUCTION

This paper investigates the possibility of using privatized public spaces developing a design strategy for shopping complexes, which integrates civic functions and improves the connectivity of public spaces to the surrounding urban landscape. Thus it aims to create a new type of public realm. The paper also tests the current draft for the new Design and Management Guidelines for Public Open Space in Private Development of the Development Bureau and makes proposal for their expansion. The selected site is located next to the Tai Wai MTR Station in the Hong Kong's New Territories.

## 2 RESEARCH

### 2.1 Influences on the form of living

Since the first podium type development was introduced since 70s, podium type development has become the dominate type of residential developments in Hong Kong. According to the building regulations, it is allowed 100% site coverage under 15m and the first 3 floors are allowed for non-domestic use only. Thus most podiums are used for shopping malls, car parks or club houses. The form of podium type development suggested the integration of living and consumption. Since the residential towers are put on the top of the podium, the distance between shopping and living has been shortened dramatically. Shopping mall becomes the route of the daily life (see New Town Plaza in Shatin and Telford Plaza in Kowloon Bay). Since space between residential towers was no longer an open public space, but a shopping mall. Mall became the place where public lives take place. However, the public life is not relaxation or gathering with neighbour, but it is only about consumption and profit making activities. The introduction of podium enhanced the development of shopping malls and also changed our living form.

### 2.2 Influences on the city planning

Comprehensive Development Area (CDA) zoning is a type of land use designated in statutory town plans where is intended for the comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. This zoning aims to facilitate appropriate planning controls over the development mix, scale, design and layout of development, taking account of various environment, traffic, infrastructure, and other constraints (TPB, 2005).CDA developments

imposed on large sites that allow developers to build larger residential or commercial complex. Thus, the enlargement of shopping mall is resulted. Since 90s, the size and number of shopping malls is generally increased with the number of CDA developments. Although the complex is well organized in itself and provides direct connects with MTR system, the complex remain disconnect to the surroundings and the public street network outside.

### **2.3 Typology study: form of shopping**

By studying and comparing different types of shopping architecture in terms of scale, circulation, accessibility, openness and permeability in relation of its publicness. The enlargement of envelope creates the conflictive relationship with the grain of the local context, both in terms of scale and content. The foot print of these flat-horizontal envelopes usually related to security control, circulation flow and its structural nature. They are generally designed as sealed envelopes where interior and exterior are strictly detached in environmental term. It also clearly defined the distinction between public and private, natural and artificial. The envelope's political performance relies primarily on its permeability to both social and environmental flows. As shopping mall aims for social filtering and control, it usually designed with low permeability of vertical enclosures. Limited access points and restricted circulation enhance people to stay inside the mall.

### **2.4 Restrictions in Privately Owned Public Space**

Public space should be open and accessible to all citizens, regardless of gender, race, ethnicity, age or socio-economic level, and should not be applied any restrictions or rules other than law ordinance. However, restrictions and rules are applied in POPS due to the issue of management. The aim of the management is only to encourage consumption activities and profits making within the area. Under the Hong Kong's Building Planning Regulations, developers not only get to build a bonus floor area in their buildings if they dedicate parts of their site for public use, but also they can transform the dedicate public space into part of the development since there are no guidelines to restrict the form that the public space must take. Thus, the impact of this has been a commercialization of public space whereby developers create a space that is no more than a public passageway lined with retail. Those spaces did not provide sufficient amenities for people to breath, to seat, and as a ground for different activities. Public space could not be truly formed by the emphasis on circulation and profit making.

Furthermore, those who are unwilling or unable to take part in consumption are marginalized from the mall space. The problem is that the POPS within private development is dictated by private cooperation but not the views of the citizens. The movement of the person from a public street to the enclosed POPS by private management, for example a mall, transforms the citizen into the consumer. A citizen differs significantly from a consumer in terms of rights and voice. Those who do not conform to the role of profitable consumer are the 'undesirables'. Using private law and regulation the private space often directly exclude 'undesirables' through the use of security, or even more subtly by imposing and hard architecture. Within these enclosed spaces the private management becomes the dictatorship government and the citizens (or the consumer) who must conform to the decreed code of behavior or face exclusion from the area.

In addition, the POPS disallows basic activities, such as taking photos, seating and eating, that surely should be permitted in a normal public space. Security acts to move on those not engaging in consumption, this regime challenges the idea of equity. Clearly, this filtering is exactly what the private management desires.

### **2.5 Mall as Public space as City center**

Shopping malls has been transformed from a component of city to the prerequisite of urbanity. Malls not only serve as the iconic center of city but also provide physical spaces for social activities, as a result shopping malls has replaced every aspects of urban life. However, city center should also function as a "place", where "everybody occupies its place".

Shopping malls, corporation plaza are increasingly popular destinations for the public. Of course, none of these privately owned or management places are truly public, even it is dedicated for public use. There is a presumption of publicness in these privately owned public spaces, but in reality they are in public realm. The concept of public life is inseparable from the idea of a "public sphere" and the notion of civil society, where the affairs of the public are discussed and debated in public place. In addition, public life is also derived from our desire for relaxation, social contact, entertainment, leisure and simply having a good time. These activities

are not necessary carried in a public space, but a neutral ground. It must be a place where people may come and go as they please, in which none of them are required to play host, and all feel at home and comfortable. The neutral ground should be accessible for the general public and does not set formal criteria of membership and exclusion. Planner, architects all too commonly ignore the importance of neutral ground and the kinds of relationships, interactions, and activities to which it plays host. The neutral ground provides a place where bring people together. It is important to the unity of neighborhoods, cities and societies.

### 3.1 DESIGN GUIDELINES

A. Preservation of Street network: Full site coverage is allowed in typical development, but it kills the street life and blocks the circulation on ground level. Internal streets should be provided and connected with the existing street network, it can provide more contact surface of the envelope and thus enhance the relationship between internal and external environment.

B. Accessible Landscape: In typical development, POPS usually located on the top of the podium, where is not freely accessible and limit the use of space. By reversing the arrangement of POPS and Mall upside down, the POPS could be accessible for the public with proper connections to the ground level.

C. High Porosity: Well connections to the railway are usually provided in generic malls. However, access points should be also provided in different level. More access points should be placed on the envelope to enhance the circulation connecting to the outdoor, which improves the circulation between the indoor environment and the surrounding.

D. Variety of public space: Different types of public spaces should be introduced in the development, such as internal street, plaza, sunken plaza, courtyard and promenade, which can provide different experience and enhances the spatial quality.

E. Integration of public space and activities: Public space could be of little use if there is a lack of attractive facilities. Therefore integration of programs and public space could help build the space with functional value and identity that make the space a destination for its neighbourhood and the public.

F. Interweaving of public space and retail: Retail and public spaces usually are separated due to their different spatial character. This creates the isolation of public spaces. Lack of supportive programs is one of the reasons that people not prefer to stay in public space. By weaving the retails and public spaces together, both them can benefits each other. Overlapping area can provide rooms for activities, and brings people together.

G. Program diversity: Single programs may not enough to make an attractive public space. Different characters of programs could add extra value to the public space, those program could also attract different groups of people to use the space. Hence the provision of public space should be accomplished by a wide range of facilities and entertainments.

### 3.2 DESIGN DEMONSTRATION

#### Design Strategies

Re-introducing public space: In the past, the centre of Tai Wai was a public space where a well-known cycling park and amusement park were located. Those areas have been developed as train station and maintenance centre. It is necessary to re-introduce the public space for future development of the city. This public space would be connected with the others where locate in other new towns, these will create a new network between different districts.

Re-creating city centre: Interior public street in the site are provided which linked with existing street, it can provides a seamless circulation on ground level. On the other hand, new public park of introduced to serve as city centre/destination for the citizen, it provides a free ground for public to enjoy the life while shopping mall provides entertainments and acts as an anchor attraction point. Civic programs such as theatre, library and kindergarten can improve the diversity of programs and the publicness of the development. Variety of public spaces such as covered walkway, street, courtyard, park, sunken garden will be provided to enrich the walking and spatial experience through the site.

## **Elements in POPS**

Cycling Paths: New cycling paths should be provided and connect with the existing cycling network from Shatin to Taipo. It creates destination and provides a unique attraction for the development. It also transforms the restricted atmosphere in POPS.

Access points: Wider stairs and longer steps staircase provides extra spaces for activities and additional performance. Ramps provide continuous surfaces for seamless movement between different levels. Lifts allow easy movement between different levels for children, elderly and handicaps.

Pedestrian Paths: Long, straight pedestrian routes should be avoided. A walking network with alternating street spaces and small squares could create a psychological effect of making walking distances seem shorter.

### Activities/Entertainments/Programs

Transparent shop frontages should be provided along the public space. Entrance should be opened to the street.

Greenery: Trees provide shading and reducing greenhouse gas. They should be combined with sitting spaces. Leaves provide a pleasant combination of shadow and sunlight. Planters not only provide visual green but also can be used as integrated seating. Grass should be combined with trees and groves and provides extra spaces for sports and other activities.

Amenities: Movable seating should be provided in public spaces to offer possibility of choice according to different situations. Seating should be placed according to the specific qualities of the site and provide unobstructed views to the surrounding activities.

## **4 SUMMARY**

This paper demonstrated an option of new approach design the privately owned public space. POPS could be a new chance for developing our city with new open public space. The cooperation between private sectors and the government will be the direction of developing our city in the future. However, the most critical point is how to balance the right of public and private sectors. The Design Guidelines of POSPD by Development Bureau is a right step to ensure the quality of POPS and the right of public using the space. Further development and evaluation process of the guidelines and policy have to be taken in order to shape a better living environment.

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