

## Chapter 8. Conclusion

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This closing chapter is structured based on the four research questions. The first three subchapters summarise the answers to the first three research questions, while the book ends with a number of policy recommendations for cities undergoing radical transformation and facing high development pressure, whose officers are searching for ways to engage other stakeholders, including the private sector, in public space provision and management (i.e., the subject of the fourth research question).

### 8.1. Answer to the first research question

The first research question asks: What challenges does the public sector face in providing and managing public space in a transitional context?

Public space is a multi-dimensional concept with a range of possible dimensions, such as ownership, maintenance, accessibility and inclusiveness. Public spaces are produced by and within a society; just as society keeps changing, they too evolve constantly. The cases of Teheran-ro and Mediaspree area reveal that changes in public space are even more remarkable in transitional contexts and that common issues around public space arise when cities undergo radical transformation and have high development pressure.

Although the drivers of transformation in Teheran-ro and Mediaspree area are different, they face the same challenge of public sector incapacity to provide and manage public space alone, especially in a transitional context. In Seoul, the rapid development of Teheran-ro in the process of urban expansion and population growth resulted in a low-quality urban environment. Although a large amount of public space was needed in order to provide enough walking space and resting area for the public, the public sector was unable to provide and manage public space alone due to rapidly increasing land values.

In Berlin, which underwent radical changes after the fall of socialism and the subsequent German reunification, securing public access to the riverside as well as providing public space within the Mediaspree area have proven to be major challenges. In response, the public sector was neither willing nor capable to (re)purchase private land due to the city's difficult financial situation, as well as the social imperatives for deregulation and market liberalisation.

## **8.2. Answer to the second research question**

The second research question asks: How does the public sector address these challenges?

To respond to the challenge of providing and managing public space, in both cases the public sector has actively engaged the private sector to share costs, rights and responsibilities regarding public space provision and management. In fact, both Teheran-ro and Mediaspree area have exercised planning instruments to engage the private sector in the form of POPS. The relevant planning instruments in Teheran-ro differ from those used in Mediaspree area in several aspects. These are compared in the following section.

### **8.2.1. Comparing planning instruments for regulating provision of POPS**

Public sector officials are active in regulating the provision of POPS in both Teheran-ro and Mediaspree area. The first two subcategories of provision, zoning and facility, relate to where to provide POPS. In the case of Teheran-ro, POPS are not supposed to be provided everywhere but are legally required to be provided in certain zones as regulated by the Building Act. Whether the building is in a certain use and whether its total floor area exceeds 5,000 square metres are the deciding factors; if both conditions are met, POPS are legally required. In Mediaspree area, by contrast, it is the local circumstances that prove decisive. The public sector can only demand POPS from building owners if there is a need for publicly accessible spaces within the wider neighbourhood. As elaborated in Chapter 6, a wide range of planning instruments from the upper level have provided evidence for the need for POPS in the area as well as suggestions on where they should be provided. The exact location of POPS is then regulated at the site level through instruments like non-coverable area, easement and public easement.

The location of POPS in Mediaspree area is regulated at different levels and, to be more precise, this is the only aspect that is widely addressed. Indeed, all the instruments examined (except for green stipulation) regulate the location of POPS. This suggests that the location of POPS is critical; in Mediaspree area, this is often riverside, as one of the main purposes of the respective planning instruments is to secure public access to the river. Location of POPS is also a crucial issue in Teheran-ro. For example, all instruments at the city level regulate the location of POPS to promote the use of POPS. The purpose of planning instruments for POPS has evolved from securing walking space and resting areas to promoting use. POPS that are adjacent to the main road are likely to attract users; hence, the location of POPS is significant.

In Teheran-ro, the type of POPS is addressed by all instruments at the city level, as it is another significant factor for promoting use. Instruments provide detailed information on which types of POPS are available and how they should be designed. These options include indoor POPS; although this type has not yet gained popularity, it has the potential for future promotion. Aside from the type of POPS, planning instruments in Teheran-ro also regulate the number and dimensions of POPS. In Mediaspree area, a design guideline suggests promenade as the most appropriate type of POPS along the river Spree. Uniform design is prioritised here to give a sense of continuity to the character of publicly useable space, regardless of its actual ownership. The type of POPS can also be discussed through public and public authority participation. Even though public and public authority participation is not legally binding, it nonetheless offers the opportunity for the public and public authorities to express their opinions and to debate topics such as (but not limited to) the number and dimensions of POPS and the amenities they feature.

Availability of amenities is another important aspect of POPS provision. In Teheran-ro, detailed legislations, standards and guidelines outline the types of amenities that should be provided in which types of POPS and how. In general, there is a far stronger focus on the design of POPS in Teheran-ro than in Mediaspree area. Among the various types of amenities, signage has gained great importance in Teheran-ro: all POPS include at least one signage. This is crucial, as people would not use the space if they were unsure about their rights to do so. In Mediaspree area, greening seems to be important: green stipulation is the instrument that provides detailed information on greening only (e.g., on the type of planting or about green roofs), although it is regulated differently. Provision of amenities can also be encompassed by urban development contracts or public and public authority participation,

depending on the individual case. For each case, the design of POPS is subject to negotiation between the city and the building owners.

Incentives are another crucial aspect since favourable incentives can encourage owners to provide POPS. The fact that this is addressed by almost all the planning instruments in Teheran-ro would seem to prove its importance. In Teheran-ro, incentives are arranged according to a mathematical formula, whereas in Mediaspree area, they are arranged case-by-case through urban development contracts. In case of Teheran-ro, attempts have been made to make best use of incentives. The regulation has been changed; whereas previous incentives were only given to POPS in excess of the liable area, they are now given in line with the size of POPS installed.

### **8.2.2. Comparing planning instruments for regulating management of POPS**

There are regulations for the management of POPS in both Teheran-ro and Mediaspree area. Management consists of five aspects: maintenance, financial support, inspection of POPS, infraction proceedings, and use of POPS. Maintenance is the responsibility of owners in Teheran-ro; planning instruments require owners to take both physical and financial responsibility for day-to-day maintenance. When it comes to renovation of POPS that are older than five years, the Seoul Ordinance on Building states that the public sector may provide financial resources. In Mediaspree area, owners are also generally responsible for maintenance, yet there can be exceptions depending on the arrangement between the city and the owners.

Turning to inspection and infraction proceedings, their aim is to check whether owners are compliant with the law so that POPS function as public space. Owners may choose to block POPS from public use and use them for private purposes. To prevent this, inspections are conducted every year in Teheran-ro, with fines imposed for non-compliance. These are the core planning instruments for the management of POPS in Teheran-ro. In contrast, there are no instruments for inspection and infraction proceedings in Mediaspree area.

Use of POPS is another aspect of management of POPS. After POPS are provided, their use should be promoted. Hence, planning instruments in Teheran-ro promote the use of POPS through a policy that allows others to use POPS for various purposes, such as holding an event. This is not the case

in Mediaspree area; there is no instrument that explicitly promotes the use of POPS.

Ultimately, while both public sectors in these cases are equipped with numerous planning instruments for the provision of POPS, there is a huge difference in terms of which aspects are regulated and to what extent. Whereas the focus is mainly on location in Mediaspree area, all aspects – from zoning to incentives – are regulated to a greater extent in Teheran-ro. The planning instruments for Teheran-ro are best described as detailed and product-orientated. In contrast, planning instruments in Mediaspree area are best described as plan-focused and case-by-case. Another difference is in the level of planning instruments that have a direct impact on POPS. In Teheran-ro, both national- and city-level instruments directly influence each individual POPS; in Mediaspree area, they are restricted to the site level and are hence more site-specific. Another sizeable difference emerges in the management of POPS. For the most part, management of POPS is considered important in Teheran-ro. Indeed, the focus has shifted from the provision of POPS to their management, as underuse and private use of POPS have been persistent problems. In Mediaspree area, on the other hand, management of POPS is generally less regulated.

### 8.3. Answer to the third research question

The third research question asks: What do the outcomes of the respective planning instruments look like in reality?

After each planning instrument was analysed, a total of eight POPS in Teheran-ro (four) and Mediaspree area (four) were visited, analysed and evaluated to better understand the planning instruments as well as their outcomes in real terms. The results are then compared based on maintenance (cleanliness, provision of amenities, practice of control), accessibility (physical/visual) and inclusiveness.

Maintenance of POPS consists of cleanliness, provision of amenities and practice of control. In terms of cleanliness, all the POPS visited in Teheran-ro and Mediaspree area were clean to a similar extent. They are usable, clean and safe, free from fly tipping or posting, and amenities are kept to desired standards. This is not surprising in the case of Teheran-ro, where owners are legally required to maintain POPS, as verified by the public sector through regular inspection. In Mediaspree area, meanwhile, this responsibility can

belong to the city, the owners, or be shared between the two depending on the individual arrangement. In both cases, owners are willing to keep POPS clean to maintain a good impression of POPS as the “face” of their buildings, while the public sector is also willing to keep POPS clean to uphold quality.

POPS in Teheran-ro are generally well equipped in terms of amenities, although this is dependent on the type of POPS: generally speaking, garden and plaza types of POPS are better equipped than pedestrian spaces. The former are equipped with amenities like benches and planting, which encourage activities like sitting, taking a break and chatting. Although the pedestrian type of POPS may be less equipped, as one of the examples shows, this may be compensated by another POPS on the same site (in this case another type of POPS). Due to the detailed legislation, standards and guidelines on the provision of amenities, minimum quality is secured. In Mediaspree area, it seems that the larger POPS are, the better they are equipped, and that surrounding use plays a role.

Regarding the practice of control, POPS in Mediaspree area are generally less controlled than their equivalents in Teheran-ro. In both cases, sets of rules were posted, for example, to inform users not to smoke or not to allow dogs to enter. In Teheran-ro, all buildings have security guards, even though they are less present outside buildings. In addition, a number of POPS in Teheran-ro also have signs indicating that surveillance cameras are in use 24/7.

In terms of accessibility, both physical and visual accessibility is generally higher in Teheran-ro than in Mediaspree area. In the Seoul case, this may be seen as the result of emphasis on location of POPS in every planning instrument at the city level, as well as regular inspection to prevent blocking of POPS. In Mediaspree area, while the location of POPS is also widely addressed by various planning instruments, the outcome reveals that they are effective in securing public access to the river but less effective in encouraging accessibility. Two POPS out of the three visited are of a courtyard style surrounded by a wall or closed off with a gate. It appears that whether POPS are well connected to the main street so that people can see them and use them is less discussed. Also, one of the POPS visited is currently blocked from public use; this may be due to the absence of inspection and infraction proceedings.

Lastly, the site visits and analysis revealed that POPS in both Teheran-ro and Mediaspree area can vary drastically in their levels of inclusiveness. In Teheran-ro, given that POPS are generally well maintained and accessible, POPS have the potential to be inclusive. However, some POPS can be seen as less inclusive due to their small size, meaning it is difficult to host different

activities. Similarly, in Mediaspree area, POPS are well maintained, which increases the likelihood that POPS are inclusive. However, due to the low level of accessibility, POPS are less inclusive. The size of POPS varies greatly as well.

## 8.4. Answer to the fourth research question

The fourth research question asks: What implications does the research provide for cities undergoing rapid transformation and facing high development pressure, and which are looking for ways to engage other stakeholders, including the private sector, in public space provision and management?

Policy recommendations are drawn from the comparison of planning instruments (see 8.2) and their outcomes (see 8.3) in Teheran-ro and Mediaspree area. The uniqueness of the respective planning instruments – some of which constitute strengths or weaknesses – will be first elaborated followed by policy recommendations and implications for future research.

### 8.4.1. Uniqueness of planning instruments in Teheran-ro and Mediaspree area

What is unique about planning instruments in Teheran-ro is that there are legislations, standards and guidelines devoted to POPS. These planning instruments provide detailed information on how POPS should be provided and managed. They are product-orientated, with a strong focus on design. These detailed legislations, standards and guidelines can be seen as both a strength and a weakness: minimum quality is guaranteed, but there is little room for manoeuvre. Indeed, planning instruments for POPS are not site-specific, and it would appear that the public sector is aware of criticisms over uniform space. Hence, it has tried to introduce more variation, for instance, by proposing different types of POPS.

Another uniqueness, compared to the instruments used in Mediaspree area, is that planning instruments in Teheran-ro not only try to secure space for walking and resting but go one step further to promote the actual use of POPS. Initially, emphasis was given to the provision of POPS, and the instruments were successful in the sense that many POPS were created. However, these POPS were of poor quality, and underuse and private use proved to be persistent problems. Hence, over the last decade, the public sector's focus has shifted from provision to active management, including attempts to promote

the actual use of POPS. On the one hand, inspection and infraction proceedings help to prevent private use of POPS; on the other, recent policymaking has opened up the opportunity for POPS to be used for events.

*Table 8.1 Uniqueness of planning instruments in Teheran-ro and Mediaspree area*

	Teheran-ro	Mediaspree area
Provision of POPS	<ul style="list-style-type: none"> <li>· Detailed legislations, standards and guidelines devoted to provision of POPS at national and city levels</li> <li>· Aspects of provision broadly covered from zoning to incentives</li> <li>· Planning instruments not site-specific</li> <li>· Product-orientated; strong focus on design</li> <li>· Little room for manoeuvre</li> <li>· Focus on increasing both quantity and quality so that POPS can be better used</li> </ul>	<ul style="list-style-type: none"> <li>· Provision of POPS depending on local circumstances</li> <li>· Site-specific planning instruments; plan-focused</li> <li>· Regulated on a case-by-case basis</li> <li>· Negotiation as central element</li> <li>· Strong focus on location of POPS</li> <li>· Possibility given for public and public authority to participate</li> </ul>
Management of POPS	<ul style="list-style-type: none"> <li>· Detailed legislation, standards and guidelines devoted to management of POPS at national and city levels</li> <li>· Inspection and policy to promote use of POPS as central element</li> </ul>	<ul style="list-style-type: none"> <li>· Management less regulated; lack of measures</li> <li>· No monitoring</li> </ul>

Source: Author's own table.

In Mediaspree area, planning instruments have been effective in securing public access to private pieces of land. What is unique in this case is that the planning instruments are site-specific. Indeed, the upper-level planning instruments have no direct impact on the provision and management of individual POPS; rather, they only shape the decision-making environment and give justification for POPS. Those planning instruments that do have a direct impact come from the site level.

Another uniqueness is that the provision and management of POPS are regulated on a case-by-case basis. This can be seen as both a strength and a weakness since the quality of POPS can vary hugely. The case-by-case basis requires local planning officers to be competent; they also have to negotiate with owners, and this is not always easy. When it comes to large developments, they need to find the right balance between not requiring too much – other-



wise they may lose investors – and securing POPS and ensuring their quality. Such negotiation results in, on one hand, greater flexibility and variation of POPS according to the local scenario and needs. On the other hand, the number and quality of POPS can be dependent on the competence of individual local planning officers. Hence, there is a danger that planning instruments are not used to their full extent but are, for instance, limited to securing public access only.

In addition, the uniqueness here lies in the lack of measures for managing POPS. Since POPS are not monitored, it is possible that some owners will choose not to comply with the law or honour their arrangement with the city. This would result in negative consequences, such as preventing public access to POPS or their diminished quality.

Lastly, people other than local planning officers and building owners can engage in the process and express their ideas and opinions regarding POPS. Although it is not devoted wholly to POPS and the results are not legally binding, giving the option can be beneficial.

#### 8.4.2. Policy recommendations

POPS are co-produced and co-managed public spaces where the public sector acts as the regulator and lawmaker while the private sector acts as the implementer. Planning instruments are crucial here as they directly impact how POPS are provided and managed. Policy recommendations are drawn from the research result to improve planning practice.

First, the engagement of private actors helps the public sector in public space provision and management. The involvement of private actors does not necessarily reduce the publicness of public space, as long as the roles and responsibilities in the provision and management of POPS are clarified and agreed upon with the public sector. This may already be established legally or defined through negotiation with the private sector. POPS is a powerful mechanism that can help achieve a high quantity and quality of urban public space, especially when the public sector is incapable of providing and managing public space alone.

Second, detailed guidelines on how POPS should be provided and managed are crucial to guarantee their quality. This may not be legally binding to allow for leeway. Likewise, the guidance should offer a wide range of variations – to prevent uniform POPS – and take the key dimensions of publicness of public space (i.e., maintenance, accessibility and inclusiveness) into

account so that POPS can be of high quality and better used. As an example, the guideline may suggest installing signage at the entrance of POPS so that the public can recognise their right to access and use. This guideline may also be used as part of the review criteria if a city wants to make POPS more effective.

Third, the macro analysis is helpful for stakeholders in their decision-making on POPS. It provides information on, for example, how many POPS are needed in the neighbourhood, what types of POPS are needed, and their potential users. POPS can then be provided according to local circumstances and needs, as POPS that are site-specific have a better chance of being used.

Fourth, regular inspection is crucial to ensure ongoing compliance with the law or the arrangement made with the public sector. Any owners breaking the rules should be subject to penalty, and it is important that fines can be charged immediately; it is only then that the system can be effective in returning POPS to public use.

Fifth, regulation alone does not work; it needs to be balanced with incentives. Good incentives encourage building owners to provide high-quality POPS. Building-to-land ratio, floor area ratio and/or height limit may be relaxed based on the size and/or quality of POPS installed.

Sixth, the public sector should ensure that POPS are actively used by the public. Regular surveys may be carried out on POPS and/or within the neighbourhood to see whether POPS function effectively as public space. The policy regarding the use of POPS in Teheran-ro is a good strategy to promote the use of POPS. It is important, however, to lower the threshold for application and remove unnecessary complexity from the process.

Seventh, apart from the public and private sectors, more engagement of the public in POPS is desirable. The public and public authority participation used in Mediaspree area is a good instrument since it allows people other than local planning officers and building owners to express their ideas and opinions. To promote higher public participation, it is important to increase the knowledge of the public about POPS. Also, various channels should be developed to approach diverse groups of people. A well-maintained database, for example, would allow the public to not only inform themselves, but also to actively engage by sharing comments, photos and making complaints. Such a database should be monitored by city planners; when complaints are submitted, they should carry out the relevant inspections. In addition, a civic organisation could possibly be engaged to link all the relevant actors and promote their engagement with POPS, thereby encouraging wider use of POPS.

### 8.4.3. Final words and implications for future research

The aim of this research was to make the following contributions to the literature: (a) to inform urban planners and policymakers about the possible challenges they may face in providing and managing public space in rapidly changing situations; (b) to suggest how the planning practice to provide and manage POPS can be improved; and (c) to add to the body of knowledge on POPS in Germany. Before concluding the book, a number of implications for future research should also be noted.

Although the focus of this study is solely on POPS, it also provides a certain level of insight into the planning cultures of South Korea and Germany and their similarities and differences in responding to urban transformation. As an example, the research demonstrates the division of competence and power at different levels of government in South Korea and Germany. Planning in both countries is decentralised but to a varying extent. The devolution of power is more observed in Germany. Indeed, the federal system in Germany is based on the notion that 'every decision should be made at the lowest possible political level' (Scholl et al., 2007, 17), as exemplified by the two-level government of Berlin, where the Senate and the districts both yield considerable powers, enabling each district to react quickly to changing circumstances.

Another difference is that the plan, and eventually the plan procedure (e.g., participation, negotiation) is more relevant in Germany than in South Korea. When it comes to urban transformation, a procedural approach is beneficial as it allows for flexibility and adaptation. Hence, in theory, it can handle the changing situation more effectively. On the other hand, the German approach is strongly plan-led, which hampers the positive effect of procedural planning. Moreover, as the Mediaspree case studies highlight, this approach is focused on the means of planning and not the ends, which has a definitive impact on urban spaces.

In contrast, South Korea takes a more substantive (e.g., design) and rule-following approach, which inhibits rapid responses to changing situations. The fact that districts in South Korea have less power than in Germany further diminishes the ability of planners to act quickly. Nevertheless, legislation, guidelines and standards are continuously and regularly amended, thereby remedying these shortcomings. This is possible due to the constant monitoring, which is rather missing in German case.

Lastly, a general difference is also found in engaging the public in planning process. Whereas citizen's engagement regarding POPS is rather limited in

both cases, in Germany, the possibility to participate in the planning of POPS is still given. Although this research is devoted to POPS only, it can serve as a useful foundation for further research on planning culture and urban transformation.

I would also like to mention that more research is desirable on POPS, or co-produced public space in general. During my PhD, for instance, I found out that exclusion and underuse are regarded as the persistent problems of POPS in South Korea. So, I conducted further research on POPS in South Korea and published a paper in *Urban Research and Practice*. This paper considers why well-equipped and highly accessible POPS can still be exclusive or underused. Based on empirical work, the paper argues that this problem relates to the lack of knowledge and awareness of POPS as public spaces. Hence, it adds further recommendations to the existing suggestions.

During my PhD research in Germany, I often had the impression that public space here is understood as publicly owned spaces. So I examined to what extent POPS are relevant and needed in German cities, where private-sector involvement may be more limited than in countries with more liberal systems of governance. The findings challenge the commonly held perception that public spaces in Germany are solely or primarily publicly provided. It also suggests that private stakeholders are important partners in the provision of public spaces, and co-produced public spaces like POPS are already part of the urban reality in Germany. The research result is published in *Journal of Urban Design*. More academic research on POPS will be indispensable given the lack of knowledge on the subject. In general, future research should provide greater insight into how public spaces in Germany are co-produced and co-managed and why.