

## BURGESS HILL MARTLETS SHOPPING CENTRE PROPOSED INTERIM USES

REPORT OF: Assistant Chief Executive  
Contact Officer: Judy Holmes, Assistant Chief Executive  
Email: [judy.holmes@midsussex.gov.uk](mailto:judy.holmes@midsussex.gov.uk) Tel: 01444 477015  
Wards Affected: Burgess Hill Meeds  
Key Decision: Yes  
Report to: Cabinet  
6<sup>th</sup> June 2022

---

### Purpose of Report

1. To consider proposals for an interim use of part of the Martlets Shopping Centre in Burgess Hill (in the ownership of this Council). These are intended to aesthetically and economically improve the built environment for local communities and businesses, until such time as the proposed re-development of the Centre can go ahead.
2. Cabinet should note that the site that is the subject of these proposed interim uses is the area that was previously occupied by the Martlets Hall and Library which is not part of the current NRR lease.
3. However, Cabinet should be mindful of the delicate balance to be struck between securing an attractive and safe temporary space for local communities, while also protecting New River Retail's (NRR) ability to implement its planning permission for the redevelopment of the Martlets shopping centre.
4. Cabinet is asked to create an earmarked reserve of £100k from the Council's General Reserve to facilitate the creation of a temporary urban park on the site and to request that stakeholders be actively encouraged to contribute to or support bidding to other funding sources to deliver the works planned.

### Recommendations

5. **Cabinet is recommended to:**
  - (i) **Consider the proposals outlined below and Appendix 1 and 2 and select an option. All the proposals are for temporary uses on land under this Council's control and would be subject to securing planning permission; and**
  - (ii) **Create an earmarked reserve of £100k from the Council's General Reserve to provide a budget to facilitate the creation of a temporary urban park on the site and to request that stakeholders be actively encouraged to contribute to or support bidding to other funding sources to deliver the works planned.**

### Background and Site History

6. NRR has owned the Head Lease on The Martlets since 2010. In 2015, terms were agreed with NRR to restructure the Head Lease and some additional freehold land owned by the Council was added in to facilitate a £65m redevelopment. This Development Agreement of 19 July 2017 is due to expire on the 19 July 2022. It was subject to pre-conditions and the letting and funding conditions remain outstanding. It would be open to NRR to proceed without these conditions being satisfied.

7. In March 2016 planning permission was granted to NRR to demolish the multi-storey car park, public library, community building and offices. The redevelopment this would enable comprised: additional retail floor space, residential units, a multi-screen cinema, public library, a hotel, the reconfiguration and expansion of existing car park. NRR was aiming to provide a prime retail circuit between the Martlets, Church Road and Market Place. Planning permission was issued in July 2018.
8. In February 2018 planning permission was granted to provide a temporary library. In July 2019 planning permission was granted to provide a permanent library.
9. In 2018/19 NRR revisited the 2016 scheme due to the changing nature of the retail market nationally. A new planning application was submitted in August 2019 with a greater level of diversity of uses including more leisure uses and increased residential provision. NRR received planning permission for the redevelopment in July 2021.
10. NRR continues to be committed to delivering the 2021 planning permission but because of the challenging retail environment nationally; compounded by the impact of the pandemic, a clear timeline for NRR to deliver a comprehensive redevelopment is not available.
11. This Council continues to have regular dialogue with NRR about the overall redevelopment and despite the difficult commercial situation, NRR is working to find options to bring forward the comprehensive redevelopment that all stakeholders wish to see.
12. In the summer of 2021, this Council led a bid (supported by NRR and WSCC) to the Levelling Up Fund (LUF) to facilitate the first phase of the redevelopment, together with related improvements to Church Walk/Road.
13. Unfortunately, the LUF bid was not successful. This Council has had very positive feedback from the Government about the quality of the bid but unfortunately Mid Sussex is considered a low priority by the Government for funding.
14. The Council is considering whether it would be appropriate use of the Council's funds to apply for a LUF 2 Bid in the context that the District remains a Category 3 Settlement (ie is considered to have the least need for funding). In accordance with the LUF criteria this continues to set Mid Sussex at a disadvantage. The lack of priority also means the Council is not entitled to receive any Government funding to prepare a bid.
15. As outlined above, and because the commercial conditions for bringing forward the full redevelopment of the town centre are so challenging, this Council, NRR and other key stakeholders have been seeking to achieve a delicate balance between retaining the flexibility to enable the redevelopment to go ahead (possibly at relatively short notice) whilst also being mindful of the appearance and environment of the Martlets shopping area.
16. It is a difficult balance to achieve as investment in the Centre to improve its current appearance needs to be balanced against the likelihood of the whole area being cleared to facilitate the redevelopment.
17. However, as 2021 progressed, there was increasing consensus that some interim improvements or temporary uses could be justified in order to improve the look of the Centre, support remaining occupiers and provide an improved environment for local communities.

18. In the summer 2021, this Council worked with local stakeholders to explore possible temporary uses for the site previously occupied by the Martlets/Library.
19. As part of this work, stakeholders that had previously expressed an interest in using the site for meanwhile uses such as a market or park were contacted and invited to formally set out their proposals. In the event, none of these could meet the criteria set out in the outline specification, particularly regarding the temporary nature of any use, and by decision of the then Deputy Leader, none were taken forward.
20. At the end of September 2021, NRR gave permission for ITV to film within the Centre. To support this, the Martlets Hall and library site was used for storage of trailers and support services whilst filming (though it should be noted that any further use of the Martlets for television work will require a prior approval planning permission).
21. In October 2021, following the failure of the LUF bid officers were again asked to consider alternative temporary uses for the area previously occupied by the Martlets Hall and library site. Again, a delicate balance was to be achieved between securing improvements for local communities whilst also not undermining the future delivery of NRR's 2021 planning permission.
22. Helpfully in recent months it has become clear there is a degree of consensus for interim uses on this site with proposals being made by the Town Council, New River Retail and this Council. All of which should be considered on their merits.
23. In addition, the Town Council has suggested to NRR, proposals for temporary use of existing buildings and a smartening up of retail units. Of course, the decision about whether these options should be progressed sits with NRR not this Council. However, NRR have recently successfully secured new tenants into the vacant units and have obtained a seating license and made visual improvements to the centre.
24. The Council has provided considerable support to the District's town and village centres particularly following the pandemic, to ensure that they remain vibrant and viable places to meet local community needs. Burgess Hill town centre has benefited from this support, for example, 10 of the 24 grants awarded through the Independent Retailers Support Programme, totalling almost £30k from a fund of £70k, were awarded to retailers in Burgess Hill. In addition, the town centre has also benefited from district wide initiatives such as the 'Pop to the Shops' campaign which encourages residents to shop locally and the 'ShopAppy' platform which provides an online platform for retailers to promote their business.

#### **Proposals for the ex-Martlets/library site**

25. Over the last few months, a range of similar options for temporary uses of this land have been generated. Broadly they all aim to enable public access to the site and to provide community space and resources that would not only improve the look of the area but also support outdoor uses for the local community.
26. In February 2022, following ongoing discussions with NRR regarding delivery of their planning permission, NRR made a proposal to consider a temporary park on this site. NRR proposed a modest 'community space' and secured support and in-principle sponsorship from several local businesses.
27. As outlined above, the Town Council has also generated an option for an urban garden on this Council's site (details in Appendix 2).

28. Since the disappointment of the failure of the LUF bid, this Council has also been discussing options with NRR for temporary uses of its site.
29. When considering the ideas, Cabinet needs to consider the objectives of providing an appealing gateway to the centre and an area that will be safe and attractive for local people whilst also continuing to protect the current planning permission. Therefore, they must be temporary in nature, flexible, capable of being dismantled at relatively short notice and (preferably) involve materials that are reusable.
30. As the landowner, the Council may well be best placed to achieve these aims, in partnership with NRR, who have an Agreement for Lease on this area. The Council and NRR also have the skills and expertise in managing open spaces and commissioning expert advice to assist in bringing initiatives such as this forward.
31. This Council has commissioned Landscape Architects to produce design proposals for a temporary park. Outline details are included in Appendix 1.
32. The Town Council has also generated options for the site, and these should be considered carefully too.
33. As noted in the design proposal there are potential risks that require further consideration before work can commence. These are outlined within the proposal but the most pertinent is the Council's ability to establish the extent of the basement beneath the surface and the on-going risk around availability, costs and lead times of products, materials, and labour. These risks will apply equally to the options generated by the Town Council.
34. The outline design makes use of temporary fixtures and fittings, giving the Council the flexibility to recycle, re-purpose and/or re-home elements of the design elsewhere when the space is no longer required. It is also worth noting that this is just a concept design at this stage, to provide an indication of what could be achieved. Precise details of surfacing treatments, fixtures and fittings will follow if and when a decision is made to proceed.
35. It should be noted that, even with the temporary nature of all the proposals generated by NRR, this Council and the Town Council, planning permission for the change of use would have to be sought before any alterations could be made.
36. Given the likely need for planning permission and the time needed to implement the interim proposals, consideration also needs to be given to what could be done immediately, especially as the summer months approach.
37. Therefore, notwithstanding which option the Cabinet selects, officers will aim to improve the site by dealing with trip hazards (and related matters) and, if possible, open the site for some public use over the summer (subject to the matters referred to in paragraph 33 above).
38. It is suggested that the options of summer events on the site be explored. Public Wi-Fi could also be an added attraction.
39. Naturally, the ideas above could be pursued in parallel with work to implement whichever option for a temporary urban park is agreed upon.

## Way Forward

40. Cabinet is advised to carefully consider the options outlined above and the contents of the Appendices to this report. Members should do this in conjunction with the financial implications set out below.
41. It is noted that this is a difficult issue, requiring as it does, an assessment of the timescale that any interim use may have, in the light of the overall redevelopment having planning permission and active work by NRR to find a way of bringing it forward, despite the challenging commercial environment.
42. Cabinet needs to try to achieve a sensible balance between enabling temporary improvements to the land in its ownership, which are safe, attractive and provide value for money, whilst also ensuring they can be removed quickly and that their presence doesn't create any legacy issues for the local community.
43. Officers would also like to draw Cabinet's attention to an unsolicited proposal received on 4 May 2022 from a Burgess Hill resident. The resident proposes that the site is used for a Sunday market/boot fair every Sunday from July to December. To support such a proposal, the Council need to have declared the site surplus. Cabinet will be aware that this site is not surplus and has therefore not been declared as such. Officers therefore advise that this proposal should not be supported at this time.

## Financial Implications

44. There is no budget for any of these works presently and any of these proposals would require provision to be made. In so doing, Cabinet needs to strike a balance between making a safe and attractive area whilst also being aware that the proposals must be temporary in nature.
45. Further, it is unclear whether Burgess Hill Town Council is asking the District Council to fund all or part of its proposals and there is no clear plan for how ongoing maintenance and management costs will be met given that this Council does not currently have a budget set aside to fund these works.
46. In considering this matter, officers have concluded that in order not to delay implementation of the interim uses identified, it would be responsible for the Council to make a modest budget available now.
47. In so doing, the Council will encourage all stakeholders to contribute and/or support bidding for other sources of funding to reduce the pressure on this Council. Cabinet will be aware of the impact that the pandemic has had on the Council's finances.
48. In terms of bidding, it is possible that support may be available from the Countywide Economic Recovery Fund. This fund was established by all the boroughs and districts in West Sussex, together with the County Council in 2021 as a successor fund to the business rates pool.
49. It is also possible that NRR may be able to assist.
50. In addition to this, each District and Borough in West Sussex has been allocated £70k from the West Sussex Economic Recovery Fund. Officers are currently drafting proposals for how this money could be allocated across the district and there is potential for some of it to be directed towards funding some of the proposals outlined in this report.

51. Cabinet is recommended to create an earmarked reserve of £100k from the Council's General Reserve to provide a budget to facilitate the creation of a temporary urban park on the site and to request that stakeholders be actively encouraged to contribute to or support bidding for the works planned.

#### **Risk Management Implications**

52. If a temporary park is opened on the former Martlets Hall and library site it must be a safe space for the public to use given the Council's responsibilities under the Occupiers Liability Act 1957 as the landowner. This will involve some investment and an ongoing inspection regime.

#### **Equality and Customer Service Implications**

53. None

#### **Other Material Implications**

54. None

#### **Sustainability Implications**

55. The Council's Sustainable Economy Strategy (SES) includes an objective (Objective 7) to "Position and promote our town and village centres as healthier, greener and more sustainable places generating footfall, social interaction and economic activity". The delivery of projects which achieve this objective would therefore be supported.
56. An important consideration of the delivery of any temporary park will be the need to ensure it is designed and delivered in as sustainable way as possible and that the future use of as many of its component parts can be secured. The Council's design consultants have taken this into account in the design of the options being presented.

#### **Appendices:**

- Appendix 1: Meanwhile Martlets Landscape Architect Options  
Appendix 2: Burgess Hill Town Council Proposals  
Appendix 3: BHTC: The Victoria Schilling Urban Garden design

#### **Background Papers**

[Burgess Hill Town Council Extraordinary Meeting – Thursday 31<sup>st</sup> March 2022](#)

# Meanwhile Martlets Public Space

Concept ideas for a temporary public space  
in the heart of Burgess Hill's Town Centre.

24th May 2022



# Meanwhile means in the period of time between two events.

Collins dictionary

The purpose of this design folio is to illustrate potential concept design ideas for a temporary public space to be located on the site of the former Martlets Hall building (now demolished) within Burgess Hill's Town Centre.

The concept design ideas illustrate ways to enable temporary public use of part of the space that's currently fenced off from the public.

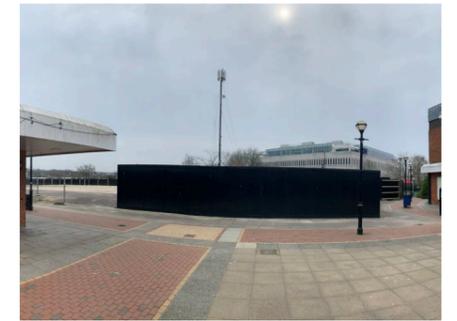
The overarching intent of the project is to explore feasible ways to invest in re-purposing the vacant space into a temporary public space that helps activate the Town Centre. The temporary public space is intended to help with the economic recovery of the Town Centre in the short term, but also act as a catalyse for positive, longer term change.

The design ideas in this folio have been prepared with limited technical data about the Site, but have been developed with feasibility and deliverability in mind.

The ideas presented are seen as initial thoughts that can be used to inform a comprehensive developed concept design and help set the scene for the next project delivery steps.

This design folio also includes a high level summary of the design team's analysis, some relevant precedent images showing the potential for the Site, a concept design idea for the layout and suggested furnishings / materials. It also includes an indication of potential outline budgets required to implement the ideas and identifies potential project risks.

This design folio has been prepared by Allen Scott on behalf of Mid Sussex District Council.



Prepared by Allen Scott  
www.allenscott.co.uk  
marc.tomes@allenscott.co.uk  
On behalf of Mid Sussex District Council  
24th May 2022  
Rev E



# Meanwhile Marlets: A temporary public space in the heart of Burgess Hill's Town Centre.

## Concept design principles

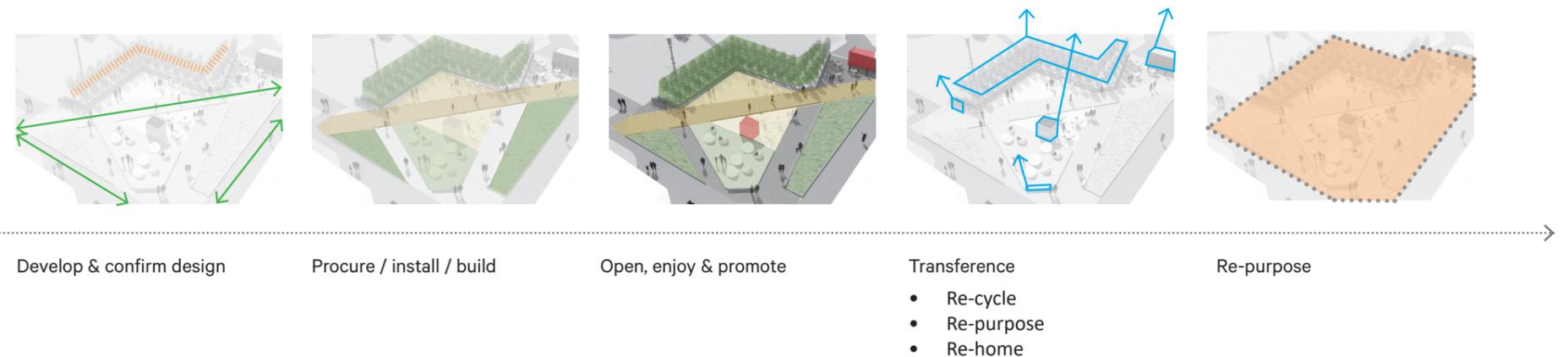
The following pages illustrate a potential concept design layout for the temporary public space based on the project intent, the analysis and initial thinking.

This has been prepared based on the following overarching design principles:

- This will be a temporary public space (assumed six month to a year);
- The furnishings and the activities within the public space will encourage people to use it;
- The layout responds to the immediate and wider connections and land use;
- The public space will act as a positive catalyst for the Town Centre;
- The design enables an 'instant' effect; and
- The public space contains elements that can be re-cycled / re-purposed / re-used and / re-homed elsewhere.

For the purpose of this design folio one concept design option has been illustrated. Other options can be explored applying the same design principles indicated above.

## Planning, install and re-use strategy



# Meanwhile Marlets: Concept design ideas & layout



Concept layout

Elements

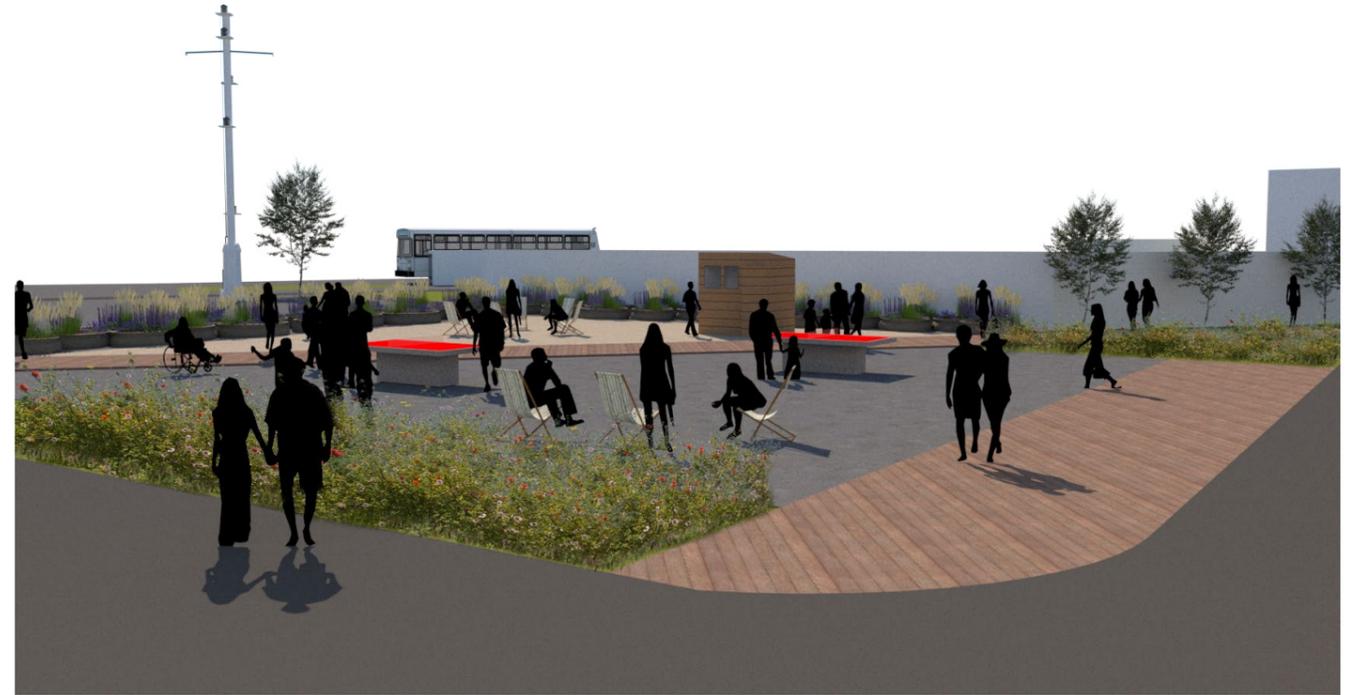
- 1 Boardwalk
- 2 Storage / shed
- 3 Urban beach
- 4 Deckchairs
- 5 Planting in sacks
- 6 Trees and planting
- 7 Existing surfacing
- 8 Table tennis tables
- 9 Timber decking
- 10 Planting in broken out ground



Precedent images



View from carpark looking north towards Lidl / Martlets



View from Martlets looking across the Plaza

Transference strategy



1 / 9



Decking re-cycle



2



Kiosk re-home



3 / 4



Deck chairs re-home  
Sand re-cycle



5 / 10



Green waste - compost  
Bags - re-cycle



6



Trees re-home



8



Table tennis tables  
re-home

# Meanwhile Martlets: Potential costs & project risks

## Outline Budgets (indicative only)

The concept design is an initial idea and will require further, more detailed, assessment and development before confirming material and product choices, forms of construction and final budgets.

The budget costs on this page are for indicative purposes only and exclude design, survey and planning fees. They also exclude costs associated with management and maintenance or to remove / transfer at the end of the temporary period of time.

## Outline budget allowances (indicative only)

Item	Allowance
Site Clearance	£18,500
Surfacing and Edging	£29,250
Structures/Furniture/Elements	£15,250
Planting	£15,000
Management Costs	£2,500
Preliminaries	£6,000
<b>TOTAL</b>	<b>£86,500</b>
Contingency and Inflation 15%	£12,975
<b>GRAND TOTAL</b>	<b>£99,475.00</b>

## Potential Timescales

Subject to the planning permission and consultation requirements and availability of elements there is a chance this could be open to the public by Autumn 2022.

It is assumed that the temporary park could be in place for up to 1 year.

## Potential Project Risks

- Topographic and geotechnical unknowns e.g. basements, contaminated land;
- The elements within the temporary public space are likely to have limited lifespan (assume 6 months to a year maximum);
- Unknown delays in lead in times / or availability of elements may impact on the programme or cost;
- Planning and other permissions;
- Increased levels of management and maintenance may be required e.g irrigation (particularly if the life of the temporary park extends / prolongs);
- A simple planting solution such as wildflower will take time to establish;
- Planting may be susceptible to drought;
- Elements / furniture may be prone to vandalism; and
- Materials and products may be unsuitable for transference / re-use at the end of the parks life.

# Meanwhile Martlets: Next Steps

## Immediate next steps for project

- Source / commission detailed site topographic survey and site condition report;
- Confirm available project budget;
- Confirm requirements for community / business consultation;
- Agree scope of work, design stages and programme;
- Confirm likely procurement route, D&B or Traditional;
- Determine planning requirements;
- Agree fees and additional consultancy requirements; and
- Develop RIBA 2 (Outline Design) Pack for costing/approval

## Potential next steps / process for design and delivery

- Confirm concept ideas / firm up brief
- Confirm available project budget
- Confirm requirements for community / business consultation
- Agree scope of work, design stages and programme
- Confirm likely procurement route, D&B or Traditional
- Determine planning requirements
- Agree fees and additional consultancy requirements
- Review detailed topographic survey
- Develop RIBA 2 (Outline Design) Pack for costing/approval
- Develop RIBA 3 (Developed Design) Pack for costing/approval
- Prepare Planning Application Pack (if required)
- Prepare RIBA 4 (Technical Design) Pack for costing/approval
- Prepare Tender Pack
- Tender process and procure (TBC)
- Delivery / Installation (TBC)

A temporary plaza space suitable for a short period of time.

Suitable to be in place for between six months to a year.

Potential opening by Autumn 2022 (subject to many factors)

**Outline Budget: £100k**



Transference:  
the process of  
moving something  
or someone from  
one place, position,  
etc. to another.

Cambridge dictionary

## **Burgess Hill Town Council Proposals**

1. A recent extraordinary meeting of Burgess Hill Town Council received a report setting out the projects proposed as:

### **The Victoria Schilling Urban Garden**

2. This proposal is to provide a garden that can be moved around to create space for outdoor community activities before the land is required for other uses. (See outline design at Appendix 3).
3. The site of this proposal is in Mid Sussex District Council's ownership and is currently subject to Agreement for Lease with New River (NRR). This Agreement is in place until 19 July 2022. NRR are very supportive of proposals such as this, but of course they will need to ensure any proposal would not undermine their planning permission.
4. The Town Council proposes close board fencing around the perimeter with lockable gates. There is also a proposal to screen off the areas not in scope, with Heras fencing and camouflage netting. The design also proposes the use of synthetic turf which is environmentally challenging. The design proposals feel ambitious within the identified £52,000 and there is a risk that it could not be delivered within this budget. No clear funding source has been identified for its delivery.

### **The Little Hive**

5. This project proposes to use the ground floor of the former Lidl building to provide a 'pop up' venue to accommodate a range of community activities, indoor events, and commercial activities such as a pop-up indoor market. The Town Council confirmed an estimated cost of £48,350.
6. This proposal is on land currently leased to NRR and therefore would need to be considered by them. NRR have indicated an in-principle agreement to grant a temporary licence to the Town Council to facilitate this proposal, again providing it is temporary and presents good value for money.
7. This proposal would require planning permission. Given the list of proposed uses it is considered that an application would be required to change the use from Class E (Commercial, Business & Service) to Class F2 (Local Community Uses). As above any permission would need to be for a temporary period to ensure it would not prevent implementation of the 2021 planning permission.
8. It is unclear how the Town Council are planning to fund this proposal.

### **Other works**

9. This proposes general visual and environmental improvements particularly to the exterior of the Lidl building and hoardings on the ex Martlets Hall site and an overhaul of the stone garden in Church Walk. The Town Council has confirmed an estimated cost of £8,935 for the Lidl building and £6k for the hoardings. The cost of overhauling the stone garden in Church Walk has not been provided.
10. It is difficult to comment on this Council's role in relation to these proposals. Based on the current information it is unlikely these initiatives would require planning permission. However, as they are within the area leased to NRR they would require NRR's permission.
11. NRR have indicated a willingness to work with the Town Council on taking the proposals forward.

