

# LETTER ONE

9 February 2015

Our ref. GAY01/JC/YA

East Lothian Planning Department  
John Muir House  
Haddington  
East Lothian  
EH41 3HA



chartered accountants and  
professional business advisers

Dear Sir

**D Gay, Fishmongers  
1 Kilwinning Street, Musselburgh, EH21 7EG**

My firm acts for the aforementioned business, D Gay, Fishmongers and has done so for the past thirty years.

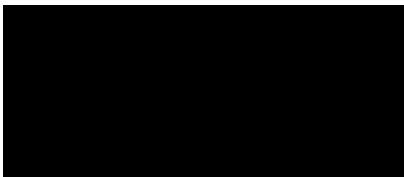
Over the past 8 years my clients' turnover at the above shop has dropped by 15%, costs have increased to the stage that the business is now not a going concern.

For the past 5 years, I have been advising my client to either change the business or cease trading all together.

The client has undertaken several cost saving strategies over the past 5 years, however, unfortunately. The costs are still rising, and the business is still not viable.

Please do not hesitate to contact me should you have any queries.

Yours sincerely



Julian Cordery



**Property Consultants**

**Thr Planning Department  
East Lothian Council  
John Muir House  
Brewery Park  
Haddington  
EH41 3HA**

**02 March 2015**

**Dear Sirs**

**Mr Duncan Gay  
Application 14/00863/P**

**We act as commercial property agents for Mr Gay and have been requested to write in regard to the marketing of the property at 1 Dambrae (Kilwinning Place) Musselburgh to which the above application refers.**

**We can advise that the property, as per the enclosed particulars, has been openly marketed since early November 2014. These details have been posted on our own website as well as those of Scottish Property Network and Nova Loca, both of which specialise in dealing with the availability of commercial property throughout Scotland. The postings allow interested parties to download the particulars in PDF format.**

**There has been 4 enquiries received to date through the Nova Loca site, and out of these, there has only been 2 physical inspections. Unfortunately from our clients point of view, one of the parties was considering changing the use to a residential flat and the other was a commercial property investor considering a buy to let position. Despite follow up, neither are interested in taking an acquisition of the property further.**

**At our initial meeting with Mr Gay, we did raise the issue of the 'side street' location of the subjects which in our opinion would have an adverse effect on the marketing and future use of the property as a retail outlet. Wet Fish outlets are generally considered to be 'destination' outlets rather than having to rely on high footfall as would a normal retail business such as those trading in the nearby High Street.**

**In our opinion, due to location, the future use of the property will more than likely have to be taken up by a specialist business without the requirement of having to rely on high footfall.**

**We shall be pleased to provide further information if required.**

**Yours faithfully,**

A black rectangular box redacting the signature of David M Bell.

**David M Bell  
DMB Property Consultants.**

**David M Bell**

**7 Beanston Cottages Beanston Haddington EH41 3SB**

**T: 01620 880568 M: 07804 042379**

**E: [dmbproperty@btconnect.com](mailto:dmbproperty@btconnect.com)**

**REASONS FOR NOTICE OF REVIEW**

1. From the enclosed letter from my accountants, Gibson McKerrell Brown LLP of Rutland Square, Edinburgh, they have provided a written statement verifying the year on year declining level of revenue (sales) coupled with increasing costs over the last five years. Their letter confirms the business is no longer viable.

This trend is hardly surprising given the proliferation of out of town and on the edge of town supermarkets. This situation has further been exacerbated by the recent arrival of the discount stores such as Aldi and Lidl. Even the big four supermarkets are coming under pressure from the German discount stores and reviewing their operations leading to some store closures in places.

A few years ago, Musselburgh had two national supermarkets operating in the High Street, Sommerfield and The Cooperative. Both of these have long since closed. Given that these two large organisations could not make it in Musselburgh High Street, what chance does the small independent retailer have?

My shop has been on the market for over three months now and there is an enclosed letter from a David Bell of DMB Properties detailing the methods used to market the property and the number of enquiries etc.

I myself have been asking fellow fishmongers at the market in Edinburgh if they are interested in buying the shop, but no one is interested.

2. With regards to the second point of refusal. My shops current opening hours are 9.00am to 5.00pm Tuesday to Saturday. At present a large number of my customers come to the shop by car. Under the proposed change of use, the shops daytime opening hours during a normal trading day will be 12.00pm to 14.00pm. During these two hours of trade, it is anticipated that the vast majority of customers will be school children from the local schools, none of which will be travelling by car. This proposed change of use can only have a positive effect on road congestion and safety during the day!

As for the evening opening hours of 17.00pm to 23.00pm. The majority of shops in the High Street will be closed, thus freeing up the availability of parking. In addition to the High Street, there is a car park 150metres from the shop and adjacent residential parking. When looking at other hot food takeaways in Musselburgh High Street which were given planning permission, there is no specific provision for parking.

Finally, this proposed change of business use will employ more people than the existing business currently employs.

I am raising new material because I was not aware it was a planning requirement to enclose the following information in a planning application.

It was not raised with the appointed officer before my application was determined because, I did not think it was a planning requirement for me to submit a statement of the financial position of my business. Likewise I did not know that it was a planning requirement to submit details of how the selling agent was marketing my property, how long the property has been up for sale and how many people have viewed the property or have offered for the property.

It should be considered now because it is pertinent to the reasons of planning permission refusal.



Property Consultants

**1 DAMBRAE  
(KILWINNING PLACE)  
MUSSELBURGH EH21 7EF**

**FOR SALE**

**SHOP PREMISES**



- **TOWN CENTRE LOCATION**
- **SELF-CONTAINED UNIT**

**T: 01620 880568 M: 07804 042379**

**E: [dmbproperty@btconnect.com](mailto:dmbproperty@btconnect.com)**

## LOCATION

The Town of Musselburgh is situated approximately 5 miles to the East of Edinburgh City centre and is readily accessible from the A1 trunk road and the City of Edinburgh bypass (A720) which connects to the central Scotland motorway network. It has a high density residential population provided with good amenities and well served by the bus and rail networks and is the location of Queen Margaret College.

Dabrae is part of Kilwinning Place/Street, a cul-de-sac running from the south side of the High Street at its eastern end providing access to Musselburgh primary school and a car park serving Town Centre customers.

The subjects are located very close and visible from the High Street/Kilwinning Place junction.

## THE PROPERTY

The property comprises the ground floor of a flatted building. It has a double windowed frontage which is bow shaped and has a painted finish.

The front sales area is accessed directly from a wide pavement. The floor is tiled and artificial lighting is from fluorescent fittings. To its rear is a kitchen/staffroom with adjacent toilet compartment. A passage leads to a former garage with sliding folding doors and which provides a good storage facility for loading/unloading purposes.

Accessible from the tenement stair is a small cellar.

## ACCOMMODATION

From measurements taken the gross internal areas are approximately as follows:-

Sales	12.67 sqm.	(136 sqft)
Kitchen/staffroom	8.28 sqm.	(90 sqft)
Former garage	12.23 sqm.	(130 sqft)

## ASSESSMENT

The current valuation entry is as follows

Shop	Rateable Value	£5,500
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The Uniform Business Rate for the year 2014-2015 is 47.1p in the pound. The Small Business Bonus Scheme gives relief of 100% of



liability (depending on circumstances) for properties with a Rateable Value of under £10,000. Further information of the Scheme can be obtained from the Scottish Government web site [www.scotland.gov.uk/business rates](http://www.scotland.gov.uk/business rates).

## PRICE

Offers in excess of £75,000 are invited and should be submitted to the sole selling Agents below

DMB Property Consultants  
7 Beanston Cottages  
Haddington  
EH41 3SB

Tel 07804 042379  
01620 880568

[Dmbproperty@btconnect.com](mailto:Dmbproperty@btconnect.com)

## VIEWING

By appointment with the Agents as above.

## ENTRY

By arrangement.

Date of publication November 2014