

Appeal No. VA90/2/072

**AN BINSE LUACHÁLA**  
**VALUATION TRIBUNAL**  
**AN tACHT LUACHÁLA, 1988**  
**VALUATION ACT, 1988**

**A.I.B. Bank, Tullamore**

**APPELLANT**

**and**

**Commissioner of Valuation**

**RESPONDENT**

RE: Bank, offices and yard at 3b.4 Columcille Street, Tullamore, Co. Offaly

**B E F O R E**

**Padraig Connellan**

**Solicitor (Acting Chairman)**

**Brian O'Farrell**

**Barrister**

**Veronica Gates**

**Barrister**

**JUDGMENT OF THE VALUATION TRIBUNAL**  
**ISSUED ON THE 14TH DAY OF MARCH, 1991**

By notice of appeal dated the 30th day of July 1990, the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £390.00 on the above described hereditament.

The grounds of appeal as set out in the Notice of appeal are that the assessment is excessive, inequitable and bad in law.

### **The Property**

The subject property comprises the original 3 storey bank premises, together with recent rear extension. The original building, with a gross frontage to Columcille Street of approx. 30 ft., is of rough-cast concrete or masonry construction under flat probably concrete roof with mainly concrete floors. The front elevation is stone faced and incorporating a high level decorative metal-framed window at ground floor. Elsewhere, traditional style glazed timber framed sash windows are installed. A recently completed extension has been constructed at right angles to the original premises, allowing a return frontage to The Mall and is of rendered concrete block construction under pitched concrete tiled and flat asphalted concrete roofs.

The agreed floor areas are:-

Ground Floor	- 4,370 sq ft.
1st Floor, Offices	- 1,152 sq ft.
Attic Stores	- 685 sq ft.
2nd Floor, Stores	- 948 sq ft.

All main services are connected including water, electricity and drainage. Oil-fired central heating is provided throughout. Adequate modern separate male and female toilets, with tiled floors and partially tiled walls, are also provided.

### **Valuation History**

A valuation of £215.00 was fixed at the 1980 First Appeal stage following upon a substantial reconstruction. At that time the ground floor area totalled some 2,000 sq ft. Following extensive reconstruction and enlargement in 1989 the valuation was increased to £390. This was appealed and the Commissioner of Valuation made no change in this figure at First Appeal stage and it is against this rateable valuation of £390 that the appellant now appeals to the Tribunal.

### **Written Submissions**

A written submission was received from Mr Alan McMillan, a Director of Donal O'Buachalla & Co., Ltd., Valuers, Rating & Property Consultants on behalf of the appellant on 6th March 1991. In this submission Mr McMillan outlined the valuation history described the location of Columcille Street, which he said is a relatively secondary street which "fades" rapidly northwards from Church Street. Mr McMillan said that the town of Tullamore has a population of 9,500/10,000 and represents one- sixth of the population of the county of Offaly. Mr McMillan then describes the property and outlined the agreed floor sizes. He said that the former public office on the first floor is now used as a general office and some of this first floor accommodation has limited natural lighting only. Mr McMillan said that the former (pre-1980) residential accommodation on the second floor remains unchanged and partially used for storage. He said the site coverage is almost 100%, allowing no on-site parking. Mr McMillan said that the property appears to be in a good state of general repair and decor throughout, with the exception of the second floor which is unimproved. Mr McMillan then outlined his method of calculation of rateable valuation which he said is represented by an agreed ratio of .5% of the N.A.V. to be based on agreed floor areas. Mr McMillan attached comparisons as follows:-

- A. Irish Nationwide Building Society, 11a O'Connor Square
- B. General Accident Assurance Ltd., 11e O'Connor Square
- C. Terry Michael Menswear, 2.3.4a/1 Columcille Street
- D. Xtra-Vision, 2.3.4a/2 Columcille Street
- E. Office of Public Works, 11b O'Connor Square
- F. Irish Nationwide Building Society, 11d O'Connor Square
- G. Williams Waller Ltd, 26b Patrick Street

Mr McMillan said that the Irish Nationwide Building Society comparison is the only "retail/financial" premises, revised on a rental basis since the advent of the 1986 Act and may therefore be especially apposite. Mr McMillan said that the subject property is located some way

off the main commercial thoroughfares of Patrick Street and Bridge Street and its location is therefore inferior to that enjoyed by the comparisons which he has mentioned at Patrick Street, Bridge Street and O'Connor Square. He said that this secondary location is demonstrated by the limited success enjoyed by the adjacent Mall shopping development which opened approximately at the same time as the bank extension was built in 1988. He said that on-street parking is available immediately outside the premises and also in Market Square accessible via The Mall to the rear. Mr McMillan then sets out his estimate of N.A.V. and of R.V. as follows:-

**Ground Floor:**

Premier zone:

1,200 sq. ft. @ £10/psf = £12,000

Secondary Zone:

3,123 sq. ft. @ £5/psf = £15,615

Store:

47 sq.ft. @ £3/psf = £ 141 £27,756

**First Floor:**

Offices:

1,152 sq.ft. @ £5/psf £ 5,760

Stores:

685 sq.ft. @ £1/psf £ 685 £ 6,445

**Second Floor:**

Stores:

948 sq.ft. @ £2/psf £ 1,896

£36,097

**(say) £36,000**

R.V. @ 0.5% = £180

**The relief sought is a reduction to R.V. £180**

A written submission was received on the 7th March, 1991 from Mr Raymond Sweeney, a District Valuer in the Valuation Office on behalf of the respondent. In this submission Mr Sweeney outlined the valuation history of the subject premises and commented on the appellants grounds of appeal. He said that the premises comprises a first class bank, located in the retail centre of Tullamore, recently completely renovated and extended at a cost of about £200,000. He said that the subject property compares closely with Bank of Ireland, 8.9.10 Bridge Street, R.V. £375. He said that the subject property has extensive frontage to the shopping centre mall. Mr Sweeney then outlined his calculation of the rateable N.A.V. and R.V. as follows:-

Ground Floor	4,370 sq ft @ £15 =	£65,550
1st Floor Offices	1,152 sq ft @ £ 6 =	£ 6,912
Stores	685 sq ft @ £ 4 =	£ 2,740
3rd Floor Stores	948 sq ft @ £ 3 =	<u>£ 2,844</u>
		£78,046
<b>Say</b>	<b>£78,000 x 0.5% =</b>	<b>R.V. £390.</b>

Mr Sweeney attached details of comparisons as follows:-

1. Bank of Ireland, 8.9.10 Bridge Street, R.V. £375.
2. Examples of five different shopping centres recently developed in the town and said because such properties are let on the basis of a computed rent per sq ft these offer useful rental evidence. On the basis of this he said the N.A.V. of the subject property has been assessed at £15 psf.
3. D.E. Williams Ltd., 6a Patrick Street, R.V. £90
4. Bank of Ireland, 38-39 The Square, Listowel, R.V. £230

The details of the comparisons supplied by Mr McMillan and by Mr Sweeney are attached at Appendix A.

### **Oral Hearing**

At the oral hearing which took place in Galway on the 12th March, 1991, Mr Alan McMillan appeared on behalf of the appellant and Mr Ray Sweeney appeared on behalf of the respondent.

Mr McMillan at the outset accepted the areas of the subject premises as contained in the submission of the respondent. After summarising his written submission he went on to stress the comparisons contained in his written submission arguing that the only real comparison is the Irish Nationwide Building Society which has an agreed net annual value of £15,000 (1988). He also compared Terry Michael Menswear, Xtra Vision, the offices of Public Works and the Irish Nationwide Building Society, the latter letting at £3,000 per annum for an area of 500 sq. ft. He stressed that these properties varied per square foot from £8.60 for zone A property to £14 and that a rent of £15 per square foot would be very rare and only for a small area of a zone A letting. In commenting on the Bank of Ireland at Bridge Street he pointed out that it has a frontage of 84 foot to Bridge Street and 60 foot to O'Connor Square, that it is a 1979 revision and that the revised valuation was not based on the net annual value. He finally emphasised that the only fair comparison is the Irish Nationwide Building Society.

Mr Sweeney reiterated the contents of his written submission and stated that the Bank of Ireland is the only real comparison being of the same approximate area and located in equally good trading area. He also said that the R.V. on that building has stood since 1979 and has not since been challenged. He also drew attention to the fact that the A.I.B. has a frontage to the street of 30 feet and also opens on to the Shopping Mall which in turn leads to the square. He indicated that £13 per square foot was applied in Listowel but Mr McMillan contended that such a figure was not based on a net annual value.

**Findings**

Taking into consideration the written and oral submissions of the parties the relative facts and circumstances, the Tribunal accepts the net annual value of £78,000 for the subject premises and £75,000 as the net annual value of the Bank of Ireland, applies the agreed fraction of 0.5% of net annual value and confirms the Commissioner's R.V. of £390.