

Appeal No. VA93/2/009

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

**A.I.B. Bank, Lucan**

**APPELLANT**

**and**

**Commissioner of Valuation**

**RESPONDENT**

RE: Bank & Carpark at Map Ref: 1C, Townland of Lucan Demesne, E.D. Lucan St. Helen's,  
R.D. Dublin - Belgard, Co. Dublin  
Quantum

**B E F O R E**  
**Mary Devins**

**Solicitor (Acting Chairman)**

**Veronica Gates**

**Barrister**

**Brian O'Farrell**

**Valuer**

**JUDGMENT OF THE VALUATION TRIBUNAL**  
**ISSUED ON THE 12TH DAY OF NOVEMBER, 1993**

By Notice of Appeal dated the 17th day of May, 1993 the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £335.00 on the above described hereditament.

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

**Valuation History:**

Prior to 1977 Revision the old bank premises was valued at £70, a request to value reconstructed and extended bank resulted in an increase in the R.V. to £240.

In 1986 a new banklink machine was installed valued at £5, and the total R.V. was increased to £245 on appeal and described as bank and yard.

At 1991 Revision the R.V. was increased to £450 and a change in the description was made to bank and carpark. This was appealed to the Commissioner of Valuation and at First Appeal reduced to £335 which is the subject of this appeal to the Tribunal.

**The Property:**

The property is located in the village of Lucan on the corner of the old Dublin Road and the main street.

It comprises a single bank premises rebuilt in 1977 with a frontage of 58 feet. It comprises bank hall, managers office, stores, toilets, strong room and banklink. All main services are connected to the property.

**Written Submissions:**

A written submission was received on the 20th October, 1993 from Mr. Des Killen, F.R.I.C.S. I.R.R.V. of Donal O'Buachalla & Company Limited, on behalf of the appellant.

In the written submission Mr. Killen set out his estimate of the Net Annual Value on the subject premises as follows:-

2,975 sq.ft. @ £13	= £38,675 N.A.V.
R.V. @ .63%	= £ 244

Alternatively, he said, using the zoning method the R.V. devalued at £234 as follows:-

Zone A 1,050 sq.ft. @ £20	= £21,000
Zone B 910 sq.ft. @ £10	= £ 9,100
Zone C 1,015 sq.ft. @ £ 7	= £ 7,105
Total	£37,205 N.A.V.
R.V. @ £.63%	= £234

A written submission was received on the 26th October, 1993 from Mr. Colman Forkin, M.A. B.S.C. (Surveying) A.S.C.S. A.R.I.C.S., on behalf of the respondent.

In his written submission Mr. Forkin set out his calculation of the rateable valuation as follows:-

Total Floor Area: 2,975 sq.ft. @ £18.00 p.s.f.	=	£53,550
Est. N.A.V.: £53,550 x 0.63%	=	£337.36
Say		<b>£335.00</b>

Both parties submitted comparisons in support of their rateable valuations.

**Oral Hearing:**

At the oral hearing which took place on the 1st November, 1993 Mr. Desmond Killen of Messrs. Donal O'Buachalla & Company Limited, appeared on behalf of the appellant. The respondent was represented by Mr. Colman Forkin.

Mr. Killen, at the outset, withdrew his comparison No. 3 referred to in his written submission, and stated that, in the absence of rental evidence, he intended to rely largely on comparisons numbers 1 & 2 in his written submission.

Mr. Killen said that if one were to devalue the subject premises on an overall basis, his estimate of N.A.V. at £38,675 would break down at £13.00 per square foot. Alternatively, he said, if one were to apply the zoning method, his estimate of N.A.V. would be £37,205.

Mr. Killen stated that his estimate of N.A.V. for the subject was less than that of his comparisons because, in his opinion, the subject property was in a less favourable location, being at the edge of Lucan village and because he had made a quantum allowance in view of the fact that the subject was approximately 3 times the size of either of the two comparisons, and because of the subject's irregular layout.

Mr. Forkin stressed the superiority of the subject property over the comparisons, referring to its adjacent car park, its easy accessibility and the fact that it was purpose built. For these reasons, Mr. Forkin said, no quantum allowance should be made for its admittedly larger floor area.

**Determination:**

The Tribunal does not accept that the subject premises are greatly disadvantaged by reason of location, particularly in view of the adjacent car park and the relatively compact nature of the village of Lucan.

The subject property is, however, considerably larger in area than either of the two nearby comparable properties. The Tribunal, therefore, is satisfied that some allowance should be made for quantum.

Taking into account the evidence adduced, particularly that in relation to comparisons, the Tribunal finds that the correct R.V. of the subject premises is £300 and so determines.