

Appeal No. VA93/3/013

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

Pierse Contracting Limited

APPELLANT

and

Commissioner of Valuation

RESPONDENT

RE: Offices, Workshop and Land at Map Reference: 4Ba, Townland: Parslickstown, D.E.D.:
Blanchardstown-Tyrrelstown, Dublin-Fingal, 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 7TH DAY OF APRIL, 1994

By Notice of Appeal dated the 22nd day of July, 1993 the appellant appealed against the determination of the Commissioner of Valuation in fixing a rateable valuation of £570 on the above described hereditament.

The grounds of appeal as set out in the Notice of Appeal are that:-

"The valuation is excessive and inequitable when rental levels are taken into consideration".

The Property:

The property is located on the new Dublin/Navan motorway. The principal building on the site is the new three storey office block, clad in red brick and finished internally to a high standard. Behind this is an old workshop and stores building part of which is valued separately at R.V. £200 and the remainder is included with the subject. To the rear of the site is a concrete and hardcore yard used for the storage and maintenance of heavy machinery, cranes, diggers, bulldozers etc..

Written Submission:

A written submission was received on the 2nd February, 1994 from Mr. Tadhg Donnelly M.I.A.V.I., of Brian Bagnall & Associates acting on behalf of the appellant.

In his submission Mr. Donnelly described the property and its location and he also set out details of the accommodation areas. He also set out his calculation of what he considers is the correct rateable valuation for the subject property at £375. He also included, in his submission, details of eleven comparative properties. Photographs of the subject and some of the comparisons were also included in Mr. Donnelly's submission.

A written submission was also received on the 31st January, 1994 from Mr. Christopher Hicks, a Valuer in the Valuation Office, on behalf of the respondent.

Mr. Hicks, in his submission, described the property and also set out the basis for the rateable valuation of £570. The submission also included details of two comparative properties.

Oral Hearing:

At the oral hearing, which took place on the 7th February, 1994, the appellant was represented by Mr. Tadhg Donnelly of Brian Bagnall & Associates.

Mr. Christopher Hicks of the Valuation Office appeared on behalf of the respondent.

Mr. Lombard of Sherry Fitzgerald also gave evidence on behalf of the appellant.

Mr. Donnelly submitted that the subject property was in essence a builder's yard with an attractive office block to the front, situated in a rural location.

Mr. Lombard in evidence referred to the comparisons put forward by the appellant and stated that those in the Clonshaugh Industrial Estate enjoyed considerable advantages over the subject property in that they were located in a well landscaped, well run industrial estate with good security.

Mr. Lombard referred to the comparisons on the Naas Road and submitted that these were superior to the subject in that their industrial element was cleaner than that of the subject property and hence more attractive to potential office users.

He referred to the Yamanouchi property and said that it was very different from the subject in that it was much larger, highly mechanised and was part of an I.D.A. Estate with all its inherent advantages.

Mr. Hicks referred to the appellant's comparisons and submitted that they were in many ways inferior to the subject. He referred in particular to the E.I.D. Electrical Property and stated that access thereto was particularly difficult.

He emphasised that the values in the Clonshaugh Industrial Estate seemed to be the lowest of any comparable type of industrial development.

Mr. Hicks referred to his assessment of valuation on the yard at 20p per square foot and ascertained from Mr. Lombard that his estimate was reasonable in the circumstances.

Mr. Hicks referred to Mr. Donnelly's breakdown of the agreed valuation on the Yamanouchi premises and stated that by his inclusion of the pipe rack as a rateable item, the resultant figures for the office valuation were somewhat distorted.

Determination:

The Tribunal notes that the parties are in agreement as to the valuation of the workshop and stores element of the subject property.

It accepts Mr. Hicks contention that the yard should be included for valuation purposes and accepts his figure of 20p per square foot for same.

What remains to be decided by the Tribunal is the rateable valuation to be attributed to the office block.

It seems to the Tribunal that the subject property is located in an attractive and favourable position on a major route, with reasonably good access.

In relation to the comparisons put forward by both parties, the Tribunal notes Mr. Hicks devaluation of the agreed R.V. for the Yamanouchi premises. It does seem however that the latter is considerably superior to the subject and this should be taken into account.

Taking all of the above into account together with the comparative evidence adduced, the Tribunal finds that the correct R.V. of the subject premises is £495 and so determines.