

Appeal No: DS25/0/0023

**VALUATION TRIBUNAL
AN BINSE LUACHÁLA**

**DERELICT SITES ACT, 1990
AN tACHT UM LÁITHREÁIN THRÉIGTHE, 1990**

PAT MCDONAGH / MARIE FARRELL

APPELLANT

AND

MONAGHAN COUNTY COUNCIL

RESPONDENT

**In relation to the market valuation of site no. DS 96/24 located at Ivy Lane, Carrickmacross,
County Monaghan.**

TRIBUNAL

Suzy Quirke - MSCSI, MRICS, Dip. Arb. Law.

Deputy Chairperson

Raymond J Finlay - FIPAV, MMIL, ACI Arb, TRV, MCEPI, PC

Member

Avril Sheridan - Solicitor

Member

JUDGMENT OF THE VALUATION TRIBUNAL

ISSUED ON THE 9TH DAY OF JULY 2026

Appearances

For the Appellant: Mr. Dermot Conlon B. Comm, FRICS

For the Respondent: Mr. John Tobin MIPAV REV MMCEPI

**Mr. Kevin McNally, Ms. Aisling Greenan, Mr. Brian Annon and
Ms. Viktoria Langovska Monaghan County Council.**

THE APPEAL

1. On the 1st of September 2025 a copy of Notice of Determination of Market Value issued in accordance with s. 22 of the Derelict Sites Act, 1990 Act ('the Act') was sent to the Appellant indicating

a market value of €130,000 in respect of urban land situated at Ivy Lane, Carrickmacross, County Monaghan, (hereinafter referred to as 'the Derelict Site').

2. The date by reference to which the value of the Derelict Site was determined is the 8th of October 2024.

3. By Notice of Appeal received on the 25th of September 2025 the Appellant appealed against the Respondent's determination of value. The ground(s) of appeal as set out in the Notice of Appeal is that the determination of the valuation of the Derelict Site is incorrect because:

"Please see opinion received from independent valuer and also our architect. We believe the market value is lower than current valuation from council."

4. The Appellant considers that the market value of the Derelict Site ought to have been determined in the sum of €80,000.

THE HEARING

5. The appeal proceeded by way of a remote hearing held remotely via Zoom platform, on the 2nd of July 2026.

6. In accordance with the Valuation Tribunal (Appeals) Rules 2019 the parties' valuers exchanged their respective valuation reports prior to the hearing and submitted them to the Tribunal. At the oral hearing, each witness, having taken the affirmation adopted their valuation report as their evidence-in-chief in addition to giving oral evidence.

RELEVANT STATUTORY PROVISIONS

7. A local authority is required by s. 22 of the Act to determine, after a derelict site has been entered on the derelict sites register maintained under s. 8 of the Act, the market value of unencumbered value of that site in such manner and by such means as they think fit. In that regard, a local authority may authorise a person suitably qualified to inspect the site and report to them on the site's market value.

8. Under s. 2 of the Act ‘market value’ means the value of the relevant urban land assessed in accordance with s. 22. That assessment is undertaken by

“by estimating or causing to be estimated the price which the unencumbered fee simple of such land would fetch if it was sold on the open market on the valuation date in such manner and in such conditions as might reasonably be calculated to obtain for the vendor the best market price for the land.”

THE FACTS

9. On the basis of the evidence adduced by the parties, the following facts in respect of the physical condition of the Derelict Site were agreed or proved to the satisfaction of the Tribunal:

(i) The property comprises a building extending to 275 sq m over two floors on a site of 170 sq m. While vacant for many years we understand that the Ground Floor formerly comprised two retail units while the first floor comprised the lounge of a public house. The property is in a poor state of repair. It is located on Ivy Lane (also known as Shirley House Lane) approximately 50 m from the junction with Main Street. Ivy Lane is described as a narrow lane of approximately 3 m in width, allowing for one car to pass at a time.

(ii) The location, just off Main Street, is central but the characteristics of the lane and restricted access make for limited footfall.

APPELLANT’S CASE

10. The Appellant’s valuer, Mr Conlon, has submitted that there is weak or no demand for commercial units in Carrickmacross. He stated that the cost of demolition and the recent inflation in construction costs make the property unviable as a development proposal. He said that there are no buildings in use on the lane as any of the other buildings on it are vacant/derelict.

11. He submitted that there had been a social welfare office, some 30 years previously and more recently a beauty salon and a chiropodist but they had vacated approximately 15 years ago. He said that Supermacs on Main Street had bought it but that a rear section to the rear of the building on Main Street

had been closed and they had not used the subject building for many years. He submitted that in its current condition it was not useable for any purpose.

12. He stated that retail units in small rural towns such as Carrickmacross were struggling as people were shopping online during the week and in the out-of-town retail parks and shopping centres at the weekend. He submitted that the traditional shop had all but disappeared from rural towns and that pubs were also closing at an alarming rate. He said that demand for takeaway food outlets had even fallen off. He stated that there were a number of vacant retail units in the town.

13. Mr Conlon submitted that the subject was zoned 'town centre' but it was not suitable as a commercial premises and the cost of converting it to residential use was prohibitively expensive and that the location was wrong.

14. He said there was no comparable evidence available to support his opinion of value but he stressed that the comparable evidence put forward by the Respondent's Valuer was not relevant as they were mostly residential buildings and therefore attracted significant grants which the subject did not as it was a commercial building.

15. The Appellant's Valuer submitted three properties in his precis of evidence including photos and stated that each one had been lying vacant for some time. They included a former dentist's premises on O'Neill Street, 'Devine's Shop' on Main Street and Boylan's pub and B&B on Main Street, all located in Carrickmacross. No sales prices were submitted.

16. Mr Conlon concluded by saying that the property was located on a very narrow lane, its location was not suitable for conversion to residential use and in addition the cost of same made such a project uneconomical and finally there was no demand for commercial units in the town.

17. The Appellant's Valuer stated that in his opinion the current open market value of the building was **€80,000 (eighty thousand euro).**

RESPONDENT'S CASE

18. The Respondent's Valuer, Mr Tobin, submitted that he had carried out a number of derelict site valuations for Monaghan County Council. He said that if the market was that weak there would be more properties for sale in the town.

19. He stated that he had not had internal access to the property.

20. He said that the property was located on a marked pedestrian walkway and that there was a designated car park close to the property.

21. He said that he would envisage the property being suitable for residential conversion. He referred to the substantial grants of up to €130,000 for conversion of vacant units for up to three units. And submitted that if he put it on the market at €130,000 there would be two or three parties he knew of who would be readily interested in it.

22. Mr Tobin stated that a 1-bed in Carrickmacross rented for €1,200 per month and a 2-bed for €1,400-€1,500 per month. He said that a small builder doing the work himself and availing of all the grants would make it work at a site value of €50,000 - €70,000 per unit.

23. He said the lane was close to all town centre amenities and that he had direct experience of the location as he managed some apartments further down the lane and he had no experience of anti-social behaviour.

24. He submitted that there were no commercial properties for sale in the town and any that did come up were being converted to residential with the help of grants through a variety of schemes.

25. Mr Tobin submitted three 'recent' sales of which his practice had direct experience –

- 58 Main Street, Carrickmacross – retail unit with derelict first and second floors extending to a total of 80 sq m – sold for €250,000
- 23 O'Neill Street, Carrickmacross – 5/6-bed terraced house in poor condition extending to 139 sq m – sold for €265,000
- 26 Emmet Street, Carrickmacross – 2-bed end of terrace house, derelict for many years and in poor condition – 64 sq m – sold for €155,000.

26. Mr Tobin said that in his opinion the current open market value of the property was **€130,000 (one hundred and thirty thousand euro)**.

FINDINGS AND CONCLUSIONS

27. On this appeal the Tribunal is required to determine the market value of the Derelict Site as defined in s. 2 of the Act assessed in accordance with s. 22 of the Act.

28. The Tribunal has considered the claims made by each party's valuer and finds the following.

29. The Tribunal rejects the Appellant's Valuer's argument that the location is not appropriate for a development comprising conversion of the property to residential use. The Tribunal considers that the town centre location would lend itself to a small development comprising four or five units albeit on a very narrow lane.

30. The Tribunal accepts the Appellant's Valuer's assertion that there is very limited demand for commercial units to rent, or buy, in the town.

31. The Tribunal finds the Respondent's Valuer's evidence in terms of recent transactions to be of limited use as they are not readily comparable but accepts that it is difficult to find directly comparable evidence in this regard.

32. The Tribunal also notes that under the Planning and Development (Amendment) (No 2) Regulations 2018, a development comprising conversion of a commercial property into not more than 9 units is exempt from planning permission provided the property has been vacant for a period of at least two years. This scheme has been extended to 31 December 2028.

33. Given the above and the Respondent Valuer's assertion that a small builder could turn this property, without the need for planning permission, into a scheme of residential units for which there would be strong rental demand, the Tribunal is more persuaded by the Respondent's Valuer's position.

34. The Appellant's Valuer has failed to supply any transactional evidence in the form of sales figures. The Tribunal finds that the Respondent's Valuer has provided three sales with which his practice was involved, providing evidence, which while not directly comparable, support a valuation of €130,000 as claimed by the Respondent.

DETERMINATION:

Accordingly, for the above reasons, the Tribunal disallows the appeal and confirms the market value of **One Hundred and Thirty Thousand Euro (€130,000)**, as stated in the Notice of Determination of Market Value dated **23 July 2025**.

RIGHT OF APPEAL:

In accordance with section 39 of the Valuation Act 2001 any party who is dissatisfied with the Tribunal's determination as being erroneous in point of law may declare such dissatisfaction and require the Tribunal to state and sign a case for the opinion of the High Court

This right of appeal may be exercised only if a party makes a declaration of dissatisfaction in writing to the Tribunal so that it is received within 21 days from the date of the Tribunal's Determination and having declared dissatisfaction, by notice in writing addressed to the Chairperson of the Tribunal within 28 days from the date of the said Determination, requires the Tribunal to state and sign a case for the opinion of the High Court thereon within 3 months from the date of receipt of such notice.