

Appeal No. VA15/5/040

**AN BINSE LUACHÁLA  
VALUATION TRIBUNAL  
AN tACHT LUACHÁLA, 2001  
VALUATION ACT, 2001**

**Newcastle West Autos Ltd**

**APPELLANT**

**and**

**Commissioner of Valuation**

**RESPONDENT**

**In Relation to the Issue of Quantum of Valuation in Respect of:**

Property No. 1258737, Retail (Warehouse) at Floors 0, 1, 32E Limerick Road, Newcastle West, County Limerick.

**JUDGMENT OF THE VALUATION TRIBUNAL  
ISSUED ON THE 8<sup>TH</sup> DAY OF NOVEMBER, 2016.**

BEFORE:

**Rory Lavelle - M.A., FRICS, FSCSI, ACI Arb**

**Deputy Chairperson**

**David Gill - FSCSI, FRICS, FCI Arb, Dip Arb Law**

**Member**

**Aidan McNulty- Solicitor**

**Member**

By Notice of Appeal received on the 10<sup>th</sup> day of September, 2015 the Appellant appealed against the determination of the Commissioner of Valuation in fixing a net annual value of €45,600 on the above described relevant property on the grounds as set out in the Notice of Appeal attached to this Judgment at Appendix 1.

The Tribunal, having examined the particulars of the property the subject of this appeal; having confirmed its valuation history; having examined and considered the written evidence and having heard the oral evidence on the 5<sup>th</sup> day of July, 2016 adduced before us by Mr. Eamonn Halpin on behalf of the Appellant, who contended for a net annual value of €24,800 and Mr. Dean Robinson on behalf of the Respondent to the appeal,

## **DETERMINES**

That the net annual value of the subject property be as set out below:

€38,725 (Thirty Eight Thousand, Seven Hundred and Twenty Five Euro) Decrease

### **The reasoning being**

#### *The Appellant's Case*

Appearing on behalf of the Appellant Mr. Eamonn Halpin, Eamonn Halpin and Company Limited pointed to a lack of rental evidence available in Newcastle West and the actual rent of the premises. His estimate of NAV is 24,800.

The building has been updated by the Appellant to keep the Volkswagen dealership however this was ultimately lost.

He pointed out that the Commissioners comparisons were of purpose built showrooms and that when part of the subject premises was put on the market no main dealer took it.

Mr. Halpin considers that the rent on the subject premises takes precedence and contends that he provided showroom evidence in Newcastle West and a car sales showroom on Dock Road, Limerick City.

#### *The Respondent's Case*

Appearing on behalf of the Respondent Mr. Dean Robinson of the Valuation Office pointed to this being the best location on the N21 providing modern showrooms with approximately €500,000 spent on it in the last decade.

He argued that the rent on the subject premises did not reflect improvements carried out by the tenant. That stated that there is one new showroom comparison provided by the Appellant and this is a not a car sales showroom and pointed out that the Commissioner of Valuation does not accept that dealerships affect value.

He stated that the premises benefit from tiled floors with considerable improvements and went on to question Mr. Halpin's comparisons and their relevance.

Mr Robinson's evidence is of car sales showrooms in rural locations and he contends that this is the best evidence.

## **FINDINGS & DETERMINATION:**

The Tribunal finds that the best evidence is the car sales showrooms ideally located in the same town, however in the absence of this evidence, similarly located properties as included in the Commissioner's evidence are relevant.

The Respondent included evidence in Newcastle West in their submission however these are not car sales showrooms and are of limited relevance. The only car sales showroom and only comparison not in Newcastle West included in the Appellant's evidence is Dock Road, Limerick City.

It is difficult for the Tribunal to put weight on the presence or absence of a main dealership as the strengths and weaknesses of the parties and the actual negotiations are not known. Further it was not demonstrated that the actual rents on the premises were not to connected parties.

The Tribunal is persuaded that some allowance for location, and the fact that the premises are not purpose built should be made and finds as follows:

Showroom/Office	373.86 sq.m. @ €45.00 per sq.m	€16,823.7.
Store	47.2 sq.m. @ €20.00 per sq.m.	€944
Showroom/Reception	182.28 sq.m. @ €35.00 per sq.m.	€6379.8
Workshop/Store	386.52 sq.m. @ €25.00 per sq.m.	€9,663
First Floor Offices	89.68 sq.m. @ €25.00 per sq.m.	€2,242
Yard	891 sq.m. @ €3.00 per sq.m.	€2,673
	Total	€38,725.5
	Say	€38,725