



An
Coimisiún
Pleanála

Inspector's Report ACP-324269-26

Development

Application for consent for compulsory acquisition of a derelict site in accordance with Section 16 of the Derelicts Sites Act 1990 as amended

Location

The Former Central Hotel Site, 133 Bank Place, Thomas Davis Street, Mallow, County Cork

Planning Authority

Cork County Council

Notice Party

Portapep Development Ltd
Peppard Investments Ltd
Mallow Capital Limited
Office of Public Works

Date of Site Inspection

17th July 2026

Inspector

Michele Beirne

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1.0 Proposed Development

- 1.1. This case relates to a request by Cork County Council for the consent of An Coimisiún Pleanála to the compulsory acquisition of the derelict site as 'The Former Central Hotel Site', 133 Bank Place, Thomas Davis Street, Mallow, County Cork, in accordance with the provisions of the Derelict Sites Act, 1990, as amended.

2.0 Site Location and Description

- 2.1. The Former Central Hotel, No. 133 Bank Place, Thomas Davis Street, Mallow, County Cork (*referred to hereafter as the 'subject property'*) is a partly demolished derelict site in Mallow town centre. The subject property is identified as a regeneration site in the Cork County Development Plan 2022-2028.
- 2.2. The subject property fronts onto Thomas Davis Street. The Credit Union is located to the northwest and St. Marys Church and graveyard is located to the west. The site adjoins No. 132 Bank Street and the rear garden of No. 133 Bank Place to the east, there is a current compulsory acquisition case before the Commission relating to these properties and they are under different ownership (Ref ACP-324242-26). St. James Avenue is also along the sites eastern boundary. The southern boundary is bounded by a wall with vehicular access onto St. James Avenue. The total area of the site is approximately 0.283 hectares.
- 2.3. The subject property is within an Architectural Conservation Area and in the vicinity of protected structures which include Mallow Credit Union, St. Marys Church and St. James Church. The hotel was previously listed as a Protected Structure until the Cork County Development Plan 2022-2028 and remains listed in the National Inventory of Architectural Heritage.
- 2.4. On the day of my site inspection, I was unable to gain entry and observed the subject property from Thomas Davis Street, St. James Avenue and the lane at the western side of the site. I specifically note the following:
- There is hoarding in place along Thomas Davis Street and the lane, some scribbles are evident on hoarding fronting Thomas Davis Street.

- The eastern wall adjacent to Nos 131/132 remains in place, timber covers a portion of wall fronting Thomas Davis Street.
- The former interior walls of the hotel along the eastern boundary are exposed and appear unsightly.
- Machinery and demolition waste are on site and the waste is separated into different categories, such as rubble, bagged waste and timber.
- There was no activity on site on the day of my inspection.
- Based on comparison with the Derelict Site Inspection Report dated 9/01/26 and drone footage photos submitted by the Council dated 13/04/26, I note overgrown weeds are present on site and in proximity to stationary machinery.

3.0 Application for Consent for Acquisition

- 3.1. Cork County Council has applied to the Commission for consent to compulsorily acquire the site under section 14 of the Derelict Sites Act, 1990, as amended. I note that this application is subsequent to Cork County Council serving a notice dated 27th February 2026 under Section 15 of the Act on the Derelict Sites Act, 1990, as amended, (i.e. advising of the Local Authority's intention to acquire compulsorily under the said Act, the derelict site as described).

4.0 Application and Objection

4.1. Notice of Intention to Acquire

- 4.1.1. Notice of Cork County Council's intention to acquire the site compulsorily was sent by registered post on the 2nd of March 2026 to Portapep Development Ltd, Peppard Investments Ltd, Mallow Capital Limited and Office of Public Works and a record of registered post is provided. It was served to Portapep Development Ltd, Peppard Investments Ltd and Mallow Capital Limited on the 4th, 7th and 9th March 2026 and the serving of notice is confirmed by affidavit. The site was described as follows in the notices:

- Derelict and vacant site at Former Central Hotel, 133 Bank Place, Mallow, Co. Cork.

Notice of Cork County Council's intention to acquire the site compulsorily was published in the Irish Examiner on the 4th of March 2026. The notice was described as follows:

- Derelict site at location known as the Former Central Hotel, 133 Bank Place, (Thomas Davis Street) Mallow, Co. Cork.

4.1.2. Notice was sent by email to James Daly, Peppard Investments on the 3rd of March 2026.

4.1.3. I consider that the notices were in accordance with the requirements of section 15(1)(a) and (b) of the Derelict Sites Act 1990, as amended.

4.2. Objection to Acquisition

4.2.1. One submission was made to the Council dated the 1st of April by Portapep Development Ltd objecting to the proposed Compulsory Purchase Order affecting the former Central Hotel site in Mallow. The objection largely reflects the submission to the Commission set out in Section 4.4. It is summarised as follows:

- The proposed Compulsory Purchase Order is not considered proportionate or justified having regard to the structural condition of the building, the redevelopment steps already taken, delays arising outside the owner's control, the level of professional investment already committed and the continuing progression of redevelopment proposals. It outlines that the site was acquired for redevelopment purposes; redevelopment activity has been continuous since acquisition; demolition was undertaken following professional engineering advice; multiple structural reports confirmed facade retention was not viable; redevelopment timelines were materially affected by delay in issue of the Council's structural report; additional delays arose due to statutory utility confirmation requirements; significant professional investment was made in progressing a healthcare infrastructure proposal for the site and redevelopment proposals continue to progress.

4.2.2. Additional detail to the Objectors Submission in Section 4.4 is as follows:

- Peppard Investments Ltd acquired the property in August 2021 with the clear intention of redeveloping the site. Ownership was transferred to Portapep Development Ltd on 3rd October 2023.
- Three independent structural engineering practices concluded the existing facade and structure were structurally unsound and beyond retention:
 - Komplete Engineering (for Peppard Investments Ltd, July 2022);
 - David Kelly Partnership (for Cork County Council, March 2023);
 - BRH Design Partners (for Peppard Investments Ltd, January 2025). These established that facade retention was not a viable redevelopment option and demolition works were therefore taken following professional advice.
- Cork County Council's Heritage Engineer inspected the building in February 2023. However, the Council's structural report did not issue until the 29th May 2024. During this period progression toward redevelopment was constrained.
- Notwithstanding this delay, the site was simultaneously subject to dereliction-related actions. This delay represents a significant factor affecting redevelopment timelines which was outside the control of the property owner.
- In May 2023, the Health Service Executive issued a request for proposals for delivery of an Enhanced Community Care Centre for North Cork. Peppard Investments Ltd submitted a compliant proposal. This process involved Stage 2 submission (June 2023), full Stage 3 submission (October 2023), the preparation of planning-level architectural and technical documentation, and engagement of professional design consultants. In February 2025, the HSE confirmed that the competition was no longer viable following a regional review and indicated a revised competition may be undertaken at a future date. Substantial professional investment was incurred in preparing the submission and represented a significant opportunity to deliver strategic infrastructure and employment.
- Peppard Investments Ltd appointed specialist demolition contractors and the following steps were undertaken prior to and during demolition: asbestos survey completed by MDK Analytical; appointment of Loftus Demolition (May 2024); preparation of risk assessments and method statements; preparation of

Environmental Waste Management Plan; engagement with adjoining property engineer regarding wall bracing requirements.

- Demolition works commenced in August 2024. Engineering reports confirming the unsafe condition of the facade had previously been provided to Cork County Council. Additional reports were commissioned at the request of the Council during the demolition process. The site subsequently passed inspection by the Council's Waste Management Officer.
- Demolition works was delayed for months due to uncertainty regarding the status of an existing gas connection which was outside the control of the owner.
- Demolition has been completed.
- Site clearance and installation of new hoarding are also completed.
- A pre-planning request was lodged with Cork County Council in September 2025.
- Revised redevelopment proposals are currently progressing following pre-planning engagement with the planning authority. Discussions are ongoing with a prospective anchor tenant in respect of future occupation of the site. Redevelopment of the site remains active and progressing.
- The following documents accompany the objection:
 - Visual Structural Inspection for Peppard Investments Ltd by KOMLETE Civil and Structural Engineers, July 2022.
 - Email from Town Regeneration Office to James Daly dated 11/4/24 regarding Council report and seeking clarity who releasing report to: Portapep, Peppard or both. Reply from James Daly 24/04/24 confirming he works for both companies. Email from James Daly to Town Regeneration Office dated 29/5/24 with query about issuing of report. Email from Town Regeneration Office dated 29/05/24 issuing report.
 - Feasibility of retaining the front façade of Former Central Hotel by David Kelly Partnership, March 2023.
 - Pre-planning query PPN 23/850 dated 23/10/2023 for 70 bed hotel and 38 apartments.

- Letter from HSE dated 5/02/2025 stating 'it is our intention to write to all parties who have submitted Stage 3 submissions to inform them that the HSE will not be proceeding any further with this competition. The HSE may in the future run a new competition for revised accommodation requirements for Mallow Enhanced Community Care Hub that reflects the updated accommodation needs'.
- North Cork Enhanced Community Care Hub at Mallow, Peppard Investments Ltd.

4.3. Local Authority's Application for Consent

4.3.1. The Local Authority requests the consent of the Commission to the compulsory acquisition of the derelict site. The application for consent was received on 30th April 2026 and included the following:

- Application for Consent to Acquire outlining the Local Authority rationale for pursuing the compulsory acquisition of the site.
- Derelict site location map.
- Copy of third party objection received from James Daly, Architectural Consultant, Portapep Developments Ltd.
- Local Authority response to objection received comprising of the following:

Cover letter

- This notes the objection states Peppard Investments acquired the site in August 2021 and transferred the site to Portapep Developments in October 2023. It further notes that the site is still registered to Mallow Capital Ltd. (a dissolved company) at the time of making the application to ACP. Records indicate that Mallow Capital Ltd was established in September of 2014 and is currently dissolved, with its closure noted as September 2025.
- The significant dossier of correspondence submitted outlines the numerous engagements that Cork County Council has had with this site since 2020 and the expense to which the Council has gone in terms of resourcing, statutory provision and financial outlay for reports in an effort to promote and support

the redevelopment of this site. In spite of efforts, the site remains derelict and continues to detract to a material and significant degree from Mallow town.

(1) Site profile

The Property Profile and Socio-Economic Case for Compulsory Acquisition Report is summarised as follows:

- The site description notes that the subject property is a partially demolished site, waste remains on site and the full schedule of works in a Section 11 Notice in 2025 has not been complied with. The site remains derelict and detracts from the character and amenity of Mallow town centre.
- The reputed owner(s) are Mallow Capital Limited and/or Peppard Investments Ltd and/or Portapep Investments. The folio references CK169877F covers Freehold sections and CK24677L cover Leasehold sections of the site. CK169887F – Registered Mallow Capital Ltd as owner in 2017.
- The subject property is in an area zoned 'Town Centre/Neighbourhood Centres and is a regeneration site under specific objective MW-RA-02 in the Development Plan.
- Owners details and verification methods used are provided. Verification included a Property Registration Authority Search; Service of Section 29 Notice to reputed owners in 2022; E-mail received from Portapep Investments Ltd to confirm that Portapep is a subsidiary of Peppard Investments Limited and confirming that the property was transferred for management reasons.
- There are no known environmental constraints present on site.
- The Mallow Town Framework Plan 2020 focused on balanced growth centred on people and place, encouraging thriving, resilient urban growth and life in the town.
- Mallow is recognised as a Key Town for the Southern Region under the RSES and Development Plan.
- Mallow is designated a hub town due to its significant retail function and population growth in the regional retail strategy.

- Under the County Development Plan 2022-2028, the strategic aim is to grow its population. The NPF requires 30% of the core strategy requirement within the built envelope of the town. The Council's commitment to deliver compact growth within the town places a focus on better utilisation of the existing building stock; prioritisation of brownfield and under-utilised land; identification of regeneration and infill opportunities that can contribute positively to Mallow's housing stock and 30% target of 331 units. It is proposed that the 1,105 new housing units required to 2028 be delivered primarily on Residential and Mixed Use Zoning including Compact Growth Sites, supporting existing communities and maintaining the vitality of the town centre area. Such development can benefit from proximity to existing services and community facilities.
- Relevant plans or schemes in proximity include the completed Mallow Public Realm Enhancement under Call 1 of the URDF. Call 2 includes the following sub-projects: public realm plan for Davis Street and key laneways and a new public space adjacent to St. Mary's Church to animate the town centre and improve linkages; Conservation of buildings associated with the Granary Yard within the curtilage of Mallow Castle House; Acquisition, conservation and renovation of Mallow Castle Gate Lodge. It also includes the renovation and restoration of Mallow Town Hall Theatre under the THRIVE Town Centre First Heritage Revival Scheme.
- Statutory or third party licences are not applicable at this stage.
- Infrastructural / services provision required not applicable at this stage.
- Priority 4 of Pillar 1 of the Delivering Homes, Building Communities 2025-2030 the Action Plan, targets increasing supply of additional housing by working towards ending dereliction and vacancy. This means local authorities must take a proactive and systematic approach to identify, engage with owners and bring vacant and derelict properties back into use. This is supported by Town Centre First Policy, Our Rural Future Policy, the National Development Plan, the National Planning Framework and the Development Plan, all of which advocate for sustainable development,

compact growth, regeneration and a focus on tackling vacancy and dereliction.

- If consent is given to acquire this site, given the high demand for social and affordable housing at this location, the Council would seek to redevelop the property for social and affordable housing.
- The attached timeline sets out the various engagements between Cork County Council and the current owners over a 4 year period, commencing in 2022 and earlier engagements on the site. Details of non-statutory correspondence is highlighted in the timeline of correspondence and copies of correspondence are provided.
- The property is in a desirable location, the Council has made efforts both within the confines of the Derelict Sites Act 1990 and outside of it (preplanning commissioning of reports, de-listing of facade) to compel the owners to develop the site and address its derelict nature. The site continues to remain derelict and to detract from the character and amenity of Main Street, Mallow.
- The report cites the following planning history: P.A. Ref. 18/6167 grant in 2019 for the redevelopment of the site, P.A. Ref 18/5796 incomplete, P.A. Ref 16/5250 refusal for redevelopment and two preplanning meetings (No.s 23/850 and 25/846) after which no further applications were received.
- Derelict Sites History and Statutory Notices issued are as follows:
 - September 2023 Section 8(2) intention to list the property on the Derelict Sites Register issued, DOS order 509/23
 - October 2023 Section 8(7) issued confirming the addition to the Register, DOS order 547/23
 - December 2023 Notice of valuation issued in accordance with Section 22- Valuation €350,000
 - July 2024 Section 22(3) Derelict Sites Levy issued, DOS order 552/24- €24,500
 - September 2024 Levy Reminder issued

- February 2025 Section 11 notice issued requiring measures to be taken in relation to Derelict Site
- November 2025 Levy demand issued €24,500
- January 2026 Site Inspection under the Derelict Sites Act finding non-compliance with Section 11 and site in continuing dereliction
- February 2026 Section 15 notice issued signalling the Council's intention to commence compulsory acquisition proceedings
- The subject property has a dangerous structure history, as outlined in the timeline.
- The subject property is within an ACA. The specific objective for the site states any redevelopment must have regard to its context within the ACA and contribution to the overall streetscape.
- The property was listed as a protected structure until the current Development Plan, it remains listed in the National Inventory of Architectural Heritage (Reg. No-20815030).
- The Annual Derelict Sites Levy stands as a charge on the title of the property and the Council is unaware of any other charges or burdens.
- A valuation of €350,000 was received from Avison Young in July 2023 and is attached, no appeal to the assigning of this value was made by the owners.
- Funding under the Capital Acquisitions Scheme would be leveraged by the Housing Directorate to regenerate this site for social or affordable housing provision with a possible emphasis on age-friendly housing provision combined with enhanced public realm.
- This derelict site is in a key location in the centre of Mallow's historic core and is vacant and derelict for over 10 years. Over this time and since it's acquisition by Peppard/ Portapep, efforts to promote and support it's regeneration by Cork County Council have not resulted in redevelopment. The most recent authorised officers report (January 2026) demonstrates the ongoing derelict nature of the property.

(2) Timeline of engagements between third party objector and Cork County Council:

The property was initially addressed under the Local Government (Sanitary Services) Act 1964 concerning Dangerous Structures before added to the Derelict Sites Register in 2023. It is within the context of the Derelict Sites Act that engagement with owners advanced and the key milestones in engagement over the course of the past 4 years are summarised below:

- May 2022: A meeting between Cork County Council's Property Activation Unit (Noelle Desmond and Aidan Creagh and James Daly (Architect, Peppard Investments limited) and Pat Shine of Peppard Investments and Mary Hayes Senior Executive Officer (Kanturk Mallow MD, Cork County Council) was convened by Cork County Council in the Council's Mallow office to discuss the new owners plans for the property. CCC requested that the new owners procure a structural report from an accredited conservation engineer due to the site's importance in an Architectural Conservation Area.
- September 2022: Peppard Investments Ltd. submitted facade report to CCC.
- October 2022: CCC emailed Peppard Investments Ltd., stating the report lacked necessary detail to decide on keeping the facade and failed to address main conservation issues for such a structure in an Architectural Conservation Area. PARU proposed a survey by an Engineers Ireland Conservation Register member.
- November 2022: Based on discrepancies between the Land Registry Records and the assertions of the new owners 'Peppard Investments' that they owned the site, Section 29 Notices setting out an obligation to give information to the Local Authority were sent to the purported owners to clarify ownership for action under the Derelict Sites Act 1990.
- December 2022: CCC received confirmation of ownership status from James Daly.
- December 2022: CCC concluded that CCC would need to procure its own survey of the site and structure in order to adequately consider the Council's

responsibilities under either the Sanitary Services Act or the Derelict Sites Act and to establish the feasibility of retaining the facade.

- January 2023: CCC facilitated a meeting with Peppard to discuss enabling works (removal of hoarding etc.) to allow for access by Council-commissioned consultant to assess conservation potential of the facade.
- February 2023 CCC engaged David Kelly Partnership to conduct an architectural conservation assessment of the hotel facade at a cost to the Council of €4,305. DOS 42/2023.
- April 2023: A meeting was facilitated between CCC and James Daly of Peppard Investments Limited regarding the property to outline in broad terms the David Kelly Conservation Report findings.
- May 2023: Peppard Investments, were advised to request a pre-planning meeting, it was also formally communicated that the TRO Office would be initiating proceedings under the Derelict Sites Act 1990 to register the property on the Derelict Sites Register.
- July 2023 Area Engineers Inspection carried out in the context of the Derelict Sites Act.
- August 2023: Further inspection carried out by Area Engineers in the context of the Derelict Sites Act.
- September 2023: Notification under S. 8(2) Intention to list the property on Derelict Sites Register issued. DOS Order 509/2023 on Peppard Investments Limited.
- October 2023: Notification under S.8(7) was issued confirming the property's addition to the Derelict Sites Register, DOS order 547/2023. Email sent by James Daly to PARU regarding *"social media posts about Mallow and the way they are using the Avenue Hotel site to demonstrate how Mallow is being neglected."* Mr. Daly also requested a copy of Council's Engineer's report.
- December 2023: Notice of Market Valuation of €350,000 issued in accordance with Section 22. DOS order 719/2023.

Peppard Investments advised CCC of a change of ownership / transfer of property from Peppard Investment to: Portapep Developments Ltd, Peppard Investments, Doughcloyne Ind Estate, Sarsfield Road, Wilton, Cork.

Email from TRO Office to Peppard Investments regarding change of ownership requesting: The circumstances of the change of ownership, date of change, and relevant folios/title documents etc. verifying same.

Email received from Peppard Investments enclosing stamped transfer.

- March 2024: Warning Letter issued by Cork County Council Planning Directorate under Planning & Development Act 2000 to Mallow Capital as registered owner per Land Direct. (Still the legally registered owner on this date and not dissolved).
- April 2024: E-mail from Portapep – clarifying that Portapep is a subsidiary of Peppard Investments Limited and advising that the property was transferred for management reasons. Stamp Certificate provided to Cork County Council by Portapep.
- May 2024: Report commissioned by Cork County Council released to Portapep following requests by Portapep for this report. David Kelly Partnership was commissioned by Cork County Council to inspect the Thomas Davis Street façade of the former Central Hotel in Mallow, Co Cork and to prepare a report for Cork County Council outlining the condition of the front façade in the context of the Council's functions under both the Sanitary Services Act and the Derelict Sites Act.
- July 2024: Enforcement Notice under Planning & Development Act 2000 to Mallow Capital 30.7.2024 (non-compliance with Planning).
- July 2024: Derelict Sites Levy demand of €24,500.00 issued, DOS Order 552/2024.
- September 2024: Derelict Sites Levy demand reminder letter issued.
- November 2024: Enforcement Notice under Planning & Development Act 2000 issued to Peppard Investments 1.11.2024 (non-compliance with Planning).

- November 2024: Letter issued to Peppard Investments re non-compliance and possible legal proceedings.
- January 2025: Structural report on the remaining structure of the Central Hotel, Mallow, Co. Cork submitted by Peppard Investments.
- February 2025: Section 11 Notice issued DOS Order 08/2025 with schedule of works including demolishing remaining structure within an 8 week period, following a 14 day period during which representations in writing to the CCC can be made in respect of the notice and schedule of works.
- November 2025: Derelict Sites Levy demand of €24,500.00 issued.

Submission received from James Daly Architectural Consultant querying the levy, to which a further communication from the CCC TRO issued restating the schedule of works required to remove the property from the Register and seeking clarification regarding which aspect of the calculation remained unclear.

- March 2026: Section 15 Notice issued Dos order 54/2026 - objections to the proposed Compulsory acquisition to be submitted before April 2nd 2026.

- Documents and particulars comprising

- (1) Statutory notices served

Copy of notices served dated 2nd March 2026 (and proof served).

Copy of newspaper notice dated 4th March 2026.

- (2) Correspondence

- Correspondence outlined in the timeline of engagements between the third party objector and CCC.
- Email to James Daly, Architectural Consultant, Peppard Investments from Town Regeneration Office dated 3/3/26 with notice of intention to compulsory acquire the site. Email from James Daly dated 3/3/26 to clarify why the Council is taking this approach and stating 'We are in the process of lodging a new planning application which is a result of the pre-planning meeting with Cork County Council'. Reply from Town Regeneration Office dated 9/3/26 advising on the Section 15 notice issued.

- Correspondence from James Daly dated 8th September 2025, received by CCC on the 10/4/26 to request that they enter into discussion with the Council around the proposed compulsory acquisition and querying if they enter discussion whether they would still have to lodge a valid objection before the deadline. This was also sent by mail on the 9/3/26.
- Email from James Daly on the 18/3/26 regarding the notice of intention to acquire the site.
- Correspondence by post and mail on the 19/3/26 to James Daly advising that if the owner/occupier or lessee wishes to make an objection it must be in writing by 2/4/26 and in the context of a negotiated acquisition, CCC will need to have sight of satisfactory evidence of title before any discussions commence, if they produce satisfactory title and if any discussions progress to a negotiated acquisition, the Derelict Act allows for them to withdraw an objection. Copy of letter from James Daly to Town Regeneration Office, Section 15 Notice and Site location map attached.
- Email from James Daly dated 23/4/26 with a letter from their solicitor who furnished the sale of the property. Reply from Town Regeneration Office dated 24/4/26 that it is not sufficient evidence, noting that the current registered owner is Mallow Capital Ltd that dissolved in 2025 and advising of the details required.
- Email from Derek Poppinga (Mallow Capital Limited) dated 9/3/26 to CCC stating they are not the owners of hotel.
- Email from James Daly to Town Regeneration Office dated 25/3/26 with stamped transfer and acknowledgment from Town Regeneration Office dated 27/3/26.
- Email from James Daly to Town Regeneration Office dated 1/4/26 advising on formal objection and acknowledgement from Town Regeneration Office 1/4/26.
- Objection to Cork County Council dated 1/4/26.
- Email from Town Regeneration Office to Roads and Transportation CCC dated 29/4/26 with two queries prior to submission to ACP: (1) Following

correspondence to James Daly in December 2025 on non-compliance with the Section 11 notice, and further correspondence February 2026, they were advised on 12/02/2026 to contact them in relation to any proposed works on the party wall parapet as it relates to the public road and footpath. Advice sought if any contact was made in relation this (2) The objection letter references an inspection during demolition by a waste management officer and it was queried if they were aware of any such inspection.

Reply from Roads and Transportation dated 30/4/26 stating they received correspondence from James Daly on 13/02/26 and reverted to him on 19/02/26 and received an out of office response, at that time they did not receive any further correspondence. James Daly subsequently make contact with the Mallow MD Office some time later and an application form for Permission to erect Temporary Structure was issued to them on the 1/4/26. No completed application form was subsequently received. They are not aware of an inspection by a Council Waste Management Officer. The Environment Directorate may be best placed to address the query.

(3) Technical reports and photographic surveys

- Property Profile and Socio-Economic Case for Compulsory Acquisition 30/04/2026 (outlined above).
- Central Hotel Mallow Drone footage 13/04/2026.
- Links to media reports of the Former Central Hotel Site, Mallow, Co. Cork.
- Derelicts Sites Inspection Report, Cork County Council 9/01/2026.
- Derelicts Sites Inspection Report, Cork County Council 29/1/2025.
- Derelicts Sites Report, Cork County Council 23/8/2023.
- Feasibility of retaining the front façade of Former Central Hotel by David Kelly Partnership March 2023.
- Derelicts Sites Report, Cork County Council 14/7/2023.
- Avison Young Estimates of Compensation Report July 2023.
- Visual Structural Inspection for Peppard Investments Ltd by KOMplete Civil and Structural Engineers July 2022.

- Structural Report for MM Capital Ltd by Lawrence Buckley Consulting Engineers 21/04/2020.
- Central Hotel/Mallow Park Hotel Report, Savills, 22/12/2011.
- Notice under Section 3(1) of Local Government (Sanitary Services) Act 1964 on dangerous structure at Mallow Park Hotel / Central Hotel dated 23/08/2011.
- Report by Joda Engineering Consultants for Cork County Council dated 22/08/2011.

4.3.2. Four Derelicts Sites Inspection Report are on the case file dated 9/01/2026, 29/1/2025, 23/8/2023 and 14/7/2023. The most recent report dated 9/01/2026 is summarised as follows:

- The site meets the criteria for derelict status under section 3 (a) (b) and (c) of the Derelict Sites Act 1990.
- The boundary wall is in poor condition with the weather proofing membrane damaged and structural steel exposed.
- There is hoarding on the Main Street and laneway.
- The front facade of the Hotel has been demolished and partially removed since the last Derelict Site Report dated 29/01/2025.
- The site remains in a ruinous and derelict state with demolition material on site.
- Demolition Material consists of timber, rubble, concrete and potentially hazardous material such as asbestos which appears to be bagged on site. It is not clear if it is double wrapped as required by the Waste Management (Hazardous Waste) Regulations as the inspector could not access the site.
- The Section 11 notice issued on the 18th February 2025 has not been complied with and the site remains derelict.
- Compulsory acquisition of the site is recommended as the only likely means of resolving the derelict nature of this site.
- The property was initially addressed under the Local Government (Sanitary Services) Act 1964 concerning Dangerous Structures before it was added to the Derelicts Sites Register in 2023.

- CCC recent engagement with the property owners in the context of the Derelict Sites Act 1990 is outlined from May 2022. This largely reflects the timeline of engagement submitted to support the case for compulsory acquisition.

Additional engagement referenced in the Derelict Site Report is as follows:

- December 2025: Email correspondence to James Daly of Peppard reminding owners of compliance with Section 11. Email from James Daly confirming re-commencement of fencing works. Email correspondence to James Daly reminding owners of fencing works required and of other outstanding works per the Section 11.

4.3.3. The Derelict Site report dated 29/1/2025 stated the site meets the criteria for derelict status under section 3 (a) (b) and (c) of the Derelict Sites Act 1990. It recommended demolition of the remaining structures and clearance of the site in order to address the dereliction.

4.3.4. The Derelict Site reports 23/8/2023 and 14/7/2023 stated the site meets the criteria for derelict status under section 3 (a) (b) and (c) of the Derelict Sites Act 1990.

4.4. **Objectors Submission**

4.4.1. ACP received a submission dated 28th May 2026 from McCutcheon Halley Planning Consultants on behalf of Portapep Development Limited. It is summarised as follows:

- The former Central Hotel ceased operations c. 2007 and the building remained vacant and had fallen into serious disrepair. Since acquiring the site in 2021, the landowner has actively engaged in finding a viable, long term use which recognises the site's prominent role.
- Having actively engaged with the Council, with utilities and commissioned studies necessary to make the site safe and understand it's full development potential, it is disappointing that the Council has persisted with a compulsory acquisition of this site.
- Actions have been undertaken since the sites acquisition and are evidence of a clear and continuous intention to develop the site. They include:

- Commissioning structural engineering assessments
- Engagement with Cork County Council
- Progression of design proposals and pre-planning consultations
- Participation in an HSE healthcare project procurement process
- Appointment of demolition contractors
- Undertaking demolition works and site clearance
- Preparation of environmental, asbestos, and waste documentation
- The submission from the Council confirms ongoing engagement with the Council over a number of years and demonstrates a continued intention to bring the site forward for development. This included:
 - Pre-planning discussions and development proposals,
 - Submission of reports and technical assessments,
 - Ongoing correspondence regarding potential redevelopment options.
- Delays in progress are acknowledged. These were not specifically due to lack of action but also due to external factors:
 - A Council inspection took place in February 2023 but a report from the Local Authority did not issue until May 2024. This delay constrained conservation and redevelopment decisions.
 - Demolition delays occurred due to requiring confirmation from Gas Networks Ireland around a gas connection which was necessary but took time.
 - Documentation highlights structural and conservation considerations associated with the site. The site is within an ACA and is a complex site to redevelop due to its history and constraints.
 - These factors must be considered when assessing the pace and feasibility of redevelopment.
- Concerns raised about the condition of the site are acknowledged.
- The landowner objects to the proposed compulsory acquisition and does not accept that compulsory acquisition is justified or proportionate.

- The need for social and affordable housing is acknowledged. It is questioned whether a solely residential scheme is an appropriate use for a prominent town centre site, which would benefit from an active street frontage.
- The site is located within a designated town centre/regeneration area and is identified as a key opportunity for redevelopment. The site is suitable for mixed-use or residential-led development. These factors support continued development by the owners rather than acquisition by the Local Authority.
- Compulsory acquisition represents a significant interference with property rights and should only be pursued where all reasonable alternatives have been exhausted. Owners have been making attempts to redevelop this site in conjunction with the Local Authority as follows:
 - There has been active engagement and ongoing development proposals
 - Planning permission was previously granted on the site (2019)
 - Further proposals have been advanced through pre-planning processes
- The site is capable of being progressed without compulsory acquisition.
- Meaningful progress can be achieved through continued engagement rather than compulsory acquisition. The owners remain willing to engage constructively with the Local Authority to progress viable redevelopment proposals whilst addressing outstanding issues where reasonably feasible.
- An architect is already engaged to provide design options for the site and there is active engagement in securing long-term occupiers.
- Portapep Development have made a significant investment since acquiring the site and are committed to developing the site to its full potential.
- Having regard to the ongoing engagement with the Local Authority, the development potential of the site, the site's complexity and constraints and the continuing intention of the owners to develop the property, it is respectfully requested the Commission refuse consent to the compulsory acquisition.

4.5. Oral Hearing

None

5.0 Planning History

5.1.1. Site

- PA. Ref: 18/6167: Permission granted in 2019 to Mallow Capital Limited in 2019 subject to 55 conditions for the redevelopment, refurbishment and extension of the existing the Former Central Hotel. The proposal involves change of use of ground floor from hotel to partial retail and café/retail; demolition on ground first and second floor levels; the construction of an extension with retail on the ground floor and residential on upper floors; alterations to elevations of hotel; change of use of upper floors from hotel to residential (6 units); construction of a retail unit to the rear with pedestrian access onto St James Avenue to the east; Vehicular and pedestrian access to the rear onto St James Avenue; Pedestrian access via the lane with vehicular right of way to the Credit Union car park; Carparking; Associated site services including signage and landscaping at the former Central Hotel, a protected structure.
- PA. Ref: 16/5240: Permission refused to Mallow Capital Ltd in 2016 for the change of use of part of existing hotel, a protected structure: change of use of ground floor from hotel to retail use including ancillary office and storage. Demolition of single storey function rooms, bars and storage areas; alterations to front, side and rear elevations and signage. Construction of a two storey retail unit to the rear of the site; Signage; Extinguish use of existing southern vehicular access and form new access at St James' Avenue; Car parking; site services at the Former Central Hotel, a protected structure.

5.1.2. Invalid application

PA. Ref: 18/5796: Invalid application in 2018 made by Mallow Capital Limited for the redevelopment, refurbishment and extension of the existing the Former Central Hotel.

Preplanning meetings:

- 5.1.3. Preplanning meetings referenced in CCC Property Profile and Socio-Economic Case for Compulsory Acquisition Report:

- No. 25/846 on the 16.10.2025 with Peppard Investments. Development Proposal: Community Care Centre with 90 No parking spaces. No further planning application received.
- No. 23/850 on the 23.10.2023 with Peppard Investments Ltd. Development Proposal: 70 bed hotel and 38 apartments. No further application received.

6.0 **Cork County Development Plan 2022-2029**

6.1. Cork County Development Plan 2022-2028:

Zoning:

6.1.1. The subject property is in an area zoned 'Town Centre/Neighbourhood Centres.' The objective for this zoning is:

(a) Promote the development of town centres and neighbourhood centres as the primary locations for retail and other uses that provide goods or services principally to visiting members of the public. The primary retail areas will form the main focus and preferred location for new retail development, appropriate to the scale and function of each centre and in accordance with the Retail Strategy. Residential development will also be encouraged particularly in mixed use developments while the use of upper floors of retail and commercial premises in town centres for residential use will in particular be encouraged.

(b) Recognise that where it is not possible to provide the form and scale of development that is required on a site within the core area, consideration can be given to sites on the edge of the core area based on sequential approach.

5.1.1 The following provisions of the Development Plan are considered relevant:

Volume 1

County Development Plan Objectives CS 2-7: Network of Settlements – Higher Order Settlements:

Strategic Aim: To sustainably strengthen the employment-led growth and town centre-led regeneration of Mallow as a regional economic driver, leverage its strategic location and accessibility on inter-regional road and rail networks to build upon inherent strengths, in particular food production and tourism potential,

while protecting and enhancing the natural environment of the Blackwater Valley...Retail: Support and develop the role of Mallow as an important retail centre in the North of the County while ensuring the vitality and vibrancy of its town centre is retained and enhanced.

Opportunity Sites

- Objective PL 3-2 'Encouraging Sustainable and Resilient Places' provides that as part of the Council's commitment to deliver compact growth and resilient places, the Plan supports (b) The development of brownfield, infill and under-utilised lands within the built envelope of the existing settlement network; (f) Supports the re-use and revitalisation of brownfield sites and heritage buildings in both urban and rural areas in the County.

Approach to Cork County's Settlement Hierarchy

Brownfield sites and Regeneration

- Paragraph 4.9.10 Brownfield sites and Regeneration states within the settlement network of the County there are opportunities to better utilise some brownfield/existing built footprint sites so that they can provide a higher density of development and a greater mix of uses to contribute to the compact growth of the settlement.
- Paragraph 4.9.13 states that 'the Council will use various mechanisms to resolve issues of title including Compulsory Purchase Orders to resolve long standing vacancy/ dereliction, however, it must be recognised that such powers are less efficient to progressing redevelopments than on a willing partnership basis'.

Delivering Increased Density

- Paragraph 4.11.4 states that land activation measures including the use of statutory powers will be used to address vacancy and dereliction.

Vacancy and Regeneration

- Objective TCR 9-2: Vacancy and Regeneration states under (f) Support the regeneration of town centres by encouraging the sensitive redevelopment of key sites identified at settlement level. (g) In relation to Derelict Sites the council will

endeavour to use all mechanisms available to it as appropriate in order to maximize the potential of such lands.

Regeneration Areas

- Section 18.2.9 states ‘The potential uses of the lands in these zones are specific to the location of each area or piece of land and can include residential, commercial, business, retail, employment, or community uses. The primary objective is to support regeneration, make a positive contribution to urban spaces, and improve quality of life for all.’

Volume 3 North Cork

Section 2.4 give planning policy guidance on future development in Mallow. The following provisions are considered relevant:

Vision and Strategic Context

- Section 2.4.1 ‘Mallow is designated as a Key Town in the Regional Spatial and Economic Strategy (RSES) for the Southern Region. The overall vision for Mallow is to sustainably strengthen the employment-led growth and town centre-led regeneration of Mallow as a regional economic driver, leverage its strategic location and accessibility on inter-regional road and rail networks to build upon inherent strengths, in particular food production and tourism potential, while protecting and enhancing the natural environment of the Blackwater Valley. It aims to ensure new development delivers enhanced quality of life for all, based on high quality residential, working and recreational environments, respectful of the unique character and heritage of the town and supported by a good range of services and community facilities...

Population and Housing

- Section 2.4.7 ‘As part of the Council’s commitment to deliver compact growth within the town, a new focus is placed on the better utilisation of the existing building stock, prioritisation of brownfield and under-utilised land and identification of regeneration and infill opportunities that can contribute positively to Mallow’s housing stock and 30% target of 331 units. It is proposed that the 1,105 new housing units required to 2028 be delivered primarily on Residential and Mixed-Use Zoning including Compact Growth Sites.’

- Section 2.4.8 ‘Lands to the north of the town which are part of an unfinished development (MW-R-02) as well as a smaller infill greenfield site directly north of the town centre (MW-R-07) have been identified as lands that can contribute to the compact growth of the town by virtue of their proximity to the town centre and ability to fulfil the 10 minute town concept. Further sites are identified as regeneration/targeted opportunity sites within the town (see later section)’....

Regeneration Areas

- Section 2.4.20 ‘Mallow’s identification as a Key Town in the Regional Spatial and Economic Strategy for the Southern Region advocates for town centre-led regeneration. This plan identifies areas which are either zoned as town centre or are within the built up area of the town but need to be highlighted in the event that the opportunity to redevelop them emerges during the lifetime of the plan.’

Table 3.2.5 Regeneration Sites in Mallow:

- MW-RA-02–Central Hotel Site: ‘Key site within the town centre with frontage to Thomas Davis Street and St James Avenue. Any redevelopment proposal must have regard to its context within the Architectural Conservation Area and contribution to the overall streetscape’.

Section 2.4.103 General objectives for Mallow includes:

- MW-GO-01: Deliver on the vision set out for Mallow as a Key Town in the RSES. To sustainably strengthen the employment-led growth and town centre-led regeneration of Mallow as a regional economic driver, leverage its strategic location and accessibility on inter-regional road and rail networks to build upon inherent strengths, in particular food production and tourism potential, while protecting and enhancing the natural environment of the Blackwater Valley. Plan for development to enable Mallow to achieve its target population to 15,351 persons. Provide a balance between the provision of housing and employment uses in the town, to support Mallow’s development as an integrated live/work destination.
- MW-GO-09: includes ‘Support and promote Mallow town centre as the primary and most appropriate location for the expansion of retail development. Protect the amenities of existing residential areas within the centre of the town and

encourage the provision of new residential uses to strengthen the vitality of the town centre....’

Section 2.3.104 Specific Development Objectives for Mallow:

- Town Centre/Neighbourhood Centre MW-T-01: Promote the Town Centre as the primary area for retail and mixed use development, encourage sensitive refurbishment/ redevelopment of existing sites and promote public realm improvements. Take appropriate consideration of the Architectural Conservation Area designation.

Volume 2 Heritage and Amenity, Volume 6 Maps

- The site is within the Mallow – Main Street Architectural Conservation Area. The ACA is outlined on Table 2.2.1 of Volume 2 Heritage and Amenity and shown on the CDP Map Browser in Volume 6 Maps.
- The site is in the vicinity of protected structures Mallow Credit Union (RPS ID 2414), Saint Marys Church (RPS ID 2,415) and Saint James Church (RPS ID 2,452).

6.2. Derelict Sites Act

6.2.1. The Derelict Sites Act 1990, as amended, makes provisions to prevent land being or becoming a derelict site. Amongst other things, it enables local authorities to required landowners or occupiers to take measures on derelict sites and, in certain circumstances, to acquire derelict sites compulsorily.

6.2.2. Section 3 of the Act defines ‘derelict site’ as:

“Any land...which detracts, or is likely to detract, to a material degree from the amenity, character or appearance of land in the neighbourhood of the land in question because of–

- a) the existence of the land in question of structures which are in a ruinous, derelict or dangerous condition, or
- b) the neglected, unsightly or objectionable condition of the land or any structures on the land in question, or
- c) the presence, deposit or collection on the land in question of any litter, rubbish, debris or waste, except where the presence, deposit or collection of such litter,

rubbish, debris or waste results from the exercise of a right conferred by or under statute or by common law.”

6.2.3. Other relevant provisions of the Act are summarised below:

- Section 8 requires Local Authorities to establish a register of derelict sites in their functional area and to serve notices on occupiers/ owners of their intention to do so.
- Section 9 places a duty on every owner and occupier of land, to take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site.
- Section 10 places a similar duty on Local Authorities to take all reasonable steps, including the exercise of any appropriate statutory powers, to ensure that any land in their functional area does not become or continue to be a derelict site.
- Section 11 enables Local Authorities to serve a notice on an owner or occupier of land, requiring them to take specified measures to prevent land becoming or continuing to be a derelict site.
- Section 14 provides that a local authority may acquire by agreement or compulsorily any derelict site situated in its functional area.
- Section 15 sets out arrangements for giving notice if the Local Authority intends to acquire a derelict site compulsorily.
- Section 16 sets out arrangements if the owner/occupier wish to object to the acquisition. Specifically, section 16, as amended, provides that where an objection is made, the derelict site shall not be acquired compulsorily by the Local Authority without the consent of the Commission.

7.0 Assessment

7.1. Site Inspection

- 7.1.1. I carried out my site inspection on 17th July 2026. I was unable to gain entry to the overall site and observed the subject property from Thomas Davis Road, St. James Avenue and the lane at the west end of the site. I observed that the

subject property is a partially demolished site. The eastern wall adjacent to No. 131/132 Bank Place, Thomas Davis Street remains in place, the wall is in poor condition and the upper portion of the wall fronting Thomas Davis Street is covered with timber. There is hoarding in place along Thomas Davis Street and the lane, with some scribbles on the hoarding fronting Thomas Davis Street. The interior walls of the former hotel along the eastern boundary are exposed, in poor condition and appear unsightly. Machinery and demolition waste are on site and the waste has been separated into different categories such as timber, rubble and bagged waste. Overgrown weeds are present on site and in proximity to the machinery.

7.2. Category of Dereliction

- 7.2.1. Having inspected the site and reviewed the material on file, I consider that this is a partially demolished site and the remains of the structure are likely to be in a dangerous condition/ considered ruinous. I consider that the subject property falls within category (a) of Section 3 of the Act, which relates to structures which are in a ruinous, derelict or dangerous condition.
- 7.2.2. In respect of category (b) of Section 3 of the Act, I note that the remaining walls of the former hotel are in poor condition and appear unsightly, there are some scribbles on the hoarding fronting Thomas Davis Street and overgrown weeds on site. I consider that the site falls within category (b) of Section 3 of the Derelict sites Act, 1990. I particularly note that the subject property is in a prominent town centre location and within an ACA, alongside property which are for the most part attractive and well maintained.
- 7.2.3. In respect of subsection (c) of Section 3 of the Act, I conclude that the property falls within category (c) considering the extent of waste evident on site on the day of my inspection.
- 7.2.4. In conclusion, I consider that the subject property does detract to a material degree from the amenity, character and appearance of land in the neighbourhood, which in my view, renders it derelict under Section 3 of the Act.

7.3. Assessment of Objection

7.3.1. I note that the objection to the proposed compulsory acquisition was lodged the 1st April by Portapep Development Ltd objecting to the proposed Compulsory Purchase Order affecting the former Central Hotel site in Mallow and received by the Local Authority within the stipulated period specified in the Section 15 Notice. ACP also received a submission dated 28th May 2026 by mail from McCutcheon Halley Planning Consultants on behalf of Portapep Development Limited.

7.3.2. I consider that the criteria which are relevant to the determination of the Commission in this CPO case may be summarised as follows:

- The works to be carried out should accord with, or at least not be in material contravention of, the policy and objectives contained in the statutory development plan relating to the area.
- There is a community need that is to be met by the acquisition of the lands in question.
- The project proposed and the associated acquisition of lands is suitable to meet the community need.
- Any alternatives proposed to meet the community need have been considered but are not demonstrably preferable.
- The extent of land-take should have due regard to the issue of proportionality.

7.4. Compliance with Development Plan

7.4.1. The Cork County Development Plan 2022-2028 is the relevant statutory plan for the CPO. Cork County Council have indicated that given the high demand for social and affordable housing at this location, and having regard to Priority 4 of Pillar 1 of the Delivering Homes, Building Communities 2025-2030 Action Plan that sets out increasing supply of additional housing by working towards ending dereliction and vacancy, they would seek to redevelop the property for social and affordable housing if consent is given to acquire this site. Under the Development Plan, there are several policy and specific objectives which either directly or indirectly support social or affordable housing provision that would be facilitated by the CPO:

- 7.4.2. The Development Plan identifies Mallow as a key town in the settlement strategy, the strategic aim for Mallow includes for town centre-led regeneration under the County Development Plan Objective CS 2-7 Network of Settlements–Higher Order Settlements, consistent with the Regional Spatial and Economic Strategy for the Southern Region. The strategic aim is reinstated in Section 2.4 of Volume 3 North Cork Section which give planning policy guidance on future development in Mallow (Section 2.4.1 Vision and Strategic Context). Objective PL 3-2 Encouraging Sustainable and Resilient Places provides that as part of the Council’s commitment to deliver compact growth and resilient places, the Plan supports development of brownfield, infill and under-utilised lands within the built envelope and the re-use and revitalisation of brownfield sites.
- 7.4.3. As part of the Approach to Cork County’s Settlement Hierarchy, Section 4.9.10 Brownfield sites and Regeneration outlines opportunities to better utilise brownfield/existing built footprint sites to provide a higher density of development and a greater mix of uses to contribute to compact growth. Paragraph 4.9.13 notes that the Council will use various mechanisms to resolve issues of title including Compulsory Purchase Orders to resolve long standing vacancy/dereliction and Paragraph 4.11.4 states that land activation measures including the use of statutory powers will be used to address vacancy and dereliction.
- 7.4.4. Whilst no proposals for housing have been included in the submission, I note the Council state if consent is given, funding under the Capital Acquisitions Scheme would be leveraged to regenerate this site for social or affordable housing provision with a possible emphasis on age-friendly housing provision combined with enhanced public realm. This would support the objective in the Development Plan for Mallow that commits to town centre-led regeneration, to plan for development to enable Mallow to achieve its target population to 15,351 persons; to provide a balance between the provision of housing and employment uses in the town and support Mallow’s development as an integrated live/work destination (MW-GO-01).
- 7.4.5. With regard zoning and specific objectives, the subject property is in an area zoned Town Centre/Neighbourhood Centres and identified as a regeneration site under a specific objective in the Development Plan: ‘MW-RA-02–Central Hotel Site ‘Key site within the town centre with frontage to Thomas Davis Street and St

James Avenue. Any redevelopment proposal must have regard to its context within the Architectural Conservation Area and contribution to the overall streetscape’.

- 7.4.6. I note that the ‘Town Centre/Neighbourhood Centres zoning objective promotes the development of town centres as the primary locations for retail and other uses in accordance with the Retail Strategy. Residential development is encouraged particularly in mixed use developments and on upper floors. I also note the general objective to support Mallow town centre as the primary and most appropriate location for the expansion of retail development (MW-GO-09) and a specific development objective that promotes the town centre as the primary area for retail and mixed use development, encourages sensitive refurbishment/ redevelopment of existing sites and public realm improvements, with appropriate consideration of the Architectural Conservation Area designation (MW-T-01).
- 7.4.7. In relation to the subject property, appropriate uses of the zoning objective include residential uses and the reuse the site for social and or affordable housing therefore accords with the land use zoning. I note that Section 18.2.9 Regeneration Areas of the Development Plan states the primary objective is to support regeneration, make a positive contribution to urban spaces and improve quality of life for all; and that the potential uses of the lands are specific to the location of each area or piece of land and can include residential, commercial, business, retail, employment, or community uses. I therefore consider that the reuse the site for social/ affordable housing would support with the regeneration of the town centre and accords with the land use zoning objective and regeneration area specific objective.
- 7.4.8. Having regard to the sites Town Centre/Neighbourhood Centres zoning objective, the subject site designation as a regeneration site under specific objective MW-RA-02, the above stated objectives that seeks to address dereliction and the underutilisation of land, town centre regeneration and compact growth, I consider that the proposed acquisition and redevelopment of the site for social and affordable housing complies with the Cork County Development Plan 2022-2028. Therefore, I consider that the compulsorily acquisition of the subject property would be consistent with the policies and objectives of the Development Plan and will ensure that the lands do not continue to be in a derelict condition.

7.5. Community Need

- 7.5.1. Within the Property Profile and Socio-Economic Case for Compulsory Acquisition Report Cork County Council have stated the need for housing and the strategic aim to grow Mallow as a key town in the County. They outline that Priority 4 of Pillar 1 of the Delivering Homes, Building Communities 2025-2030 Action Plan targets increasing supply of additional housing by working towards ending dereliction and vacancy; the Council's commitment to deliver compact growth, the prioritisation of brownfield and under-utilised land; and that the Development Plan identifies regeneration and infill opportunities that can contribute positively to Mallow's housing stock and 30% target of 331 units. I also note it is proposed that the 1,105 new housing units required to 2028 be delivered primarily on Residential and Mixed Use Zoning including Compact Growth Sites, which supports existing communities and maintaining the vitality of the town centre area. Subject to consent, the Council would seek redevelop the property for social and affordable housing. The Council also provided information on adjacent plans/schemes including a completed Mallow Public Realm Enhancement under Call 1 of the URDF and Call 2 sub-projects include a public realm plan for Davis Street and key laneways and a new public space adjacent to St. Mary's Church to animate the town centre and improve linkages, that would also contribute to town centre regeneration and benefit the local population.
- 7.5.2. Having regard housing targets, provisions in the Plan to deliver compact growth, the regeneration objective on the site and the demand for housing, I consider that the community need is clearly established by the Local Authority.

7.6. Suitability of lands to meet the community need

- 7.6.1. Cork County Council state that the derelict site is in a key location in the centre of Mallow's historic core and has been vacant and derelict for over 10 years. Given the high demand for social and affordable housing in the location, the Council would seek to develop the subject property and remedy the dereliction for the provision of social or affordable housing.

- 7.6.2. Notwithstanding the fact that approval under the Part VIII process has not been sought prior to this CPO, I would highlight that the requirement for regeneration of the subject property has been clearly established and made an objective under the Development Plan where the site is identified as a regeneration site. This was subject to the sanction of the Elected Members of Cork County Council in their making of the County Development Plan 2022-2028. The site is listed under Table 3.2.5 Regeneration Sites in Mallow as MW-RA-02–Central Hotel Site: ‘Key site within the town centre with frontage to Thomas Davis Street and St James Avenue. Any redevelopment proposal must have regard to its context within the Architectural Conservation Area and contribution to the overall streetscape’.
- 7.6.3. Section 2.4.7 (Population and Housing) of Development Plan also outlines the Council’s commitment to deliver compact growth within the town and prioritisation of brownfield and under-utilised land and identification of regeneration and infill opportunities that can contribute positively to Mallow’s housing stock and 30% target of 331 units, and refers to sites identified as regeneration/targeted opportunity sites within the town that would contribute to compact growth.
- 7.6.4. I am therefore satisfied as to the suitability of the designated regeneration site in meeting the community need and confirmation of the compulsory acquisition would facilitate meeting a community need.

7.7. Consideration of alternatives

- 7.7.1. Given the protection afforded to private property ownership in Ireland, the compulsory acquisition of any property should generally be seen as a last resort. The Local Authority should, therefore, be required to show how they have considered other alternatives first and prior to initiating the CPO process. In this regard, the onus is on the Local Authority to demonstrate that alternative methods are not available to them. This is examined by reference to the timeline provided in the Local Authority’s submission.
- 7.7.2. Cork County Council states that this derelict site is in a key location in the centre of Mallow's historic core and has been vacant and derelict for over 10 years with numerous outbreaks of fire on site. Over this time and since it's acquisition by Peppard/ Portapep, efforts to promote and support it's regeneration by Cork

County Council have not resulted in redevelopment. I note that the timeline of engagements between the third party objector and Cork County Council demonstrates that the Council has made efforts both within the confines of the Derelict Sites Act 1990 and outside of it to facilitate the owners to develop the site and address its derelict nature. This engagement is over four years after an initial assessment of the site as a dangerous structure. It includes meetings and reports on the existing façade and demolition works dating from 2022, that inspections of the site commenced in 2023 in the context of the Derelicts Sites Act, the registration of the site on the Derelicts Register in 2023, Section 11 notice in 2025 and two derelict site levy demands in 2025. Notwithstanding, the site continues to remain derelict and to detract from the character and amenity of a prominent site in the town centre and Mallow ACA.

- 7.7.3. Four Derelicts Sites Inspection Reports are on the case file dating from 2023 (dated 9/01/2026, 29/1/2025, 23/8/2023 and 14/7/2023). The most recent inspection report in January 2026 outlines the ongoing derelict nature of the property in line with the definition contained in the Derelict Sites Act 1990, that the Section 11 notice issued on the 18th of February 2025 has not been complied with and the site remains derelict. It recommends compulsory acquisition as the only likely means of resolving the derelict nature of this site.
- 7.7.4. I note the objection also states that the submission from the Council confirms ongoing engagement with the Council over a number of years and demonstrates a continued intention to bring the site forward for development. This has included pre-planning discussions and development proposals, submission of reports, technical assessments and correspondence regarding potential redevelopment options I also note that the objection acknowledged delays and states these were not specifically due to lack of action but also due to external factors. This is considered below and in Section 7.8.
- 7.7.5. With regard to the planning history on the subject property, permission was granted in 2019 to Mallow Capital Limited for the redevelopment, refurbishment and extension of the Former Central Hotel. This was not implemented by the current owner, although I acknowledge that three structural reports concluded that the existing facade and structure were structurally unsound and beyond retention. (Komplete Engineering for Peppard Investments Ltd, 2022, David Kelly

Partnership for Cork County Council, 2023 and BRH Design Partners for Peppard Investments Ltd 2025). I also note the Council commissioned a report and delisted the façade of the hotel in the making of the current Development Plan, to facilitate the owners to develop the site and address its derelict nature.

- 7.7.6. With regard pre-planning efforts, the Property Profile and Socio-Economic Case for Compulsory Acquisition submitted by the Local Authority indicated that two preplanning meetings were held with Peppard Investments in 2023 regarding 70 bed hotel and 38 apartments and in September 2025 regarding a Community Care Centre (No. 23/850 and No. 25/846) after which no further applications were received. With regard the community care centre, I note the objection includes correspondence from the HSE dated February 2025 stating the HSEs intention to write to all parties who submitted Stage 3 submissions on the tender process for an enhanced community care hub in Mallow to inform them that the HSE would not be proceeding any further with this competition and noting the HSE may in the future run a new competition that reflects the updated accommodation needs. No new timeline is provided to demonstrate this as a viable option.
- 7.7.7. I note that in the objection acknowledged the need for social and affordable housing but questioned whether a solely residential scheme is an appropriate use for a prominent town centre site that would benefit from an active street frontage. It is the objectors contention that the site is suitable for mixed-use or residential-led development and these factors support continued development by the current owners rather than acquisition by the Local Authority. The objection also states that an architect is engaged to provide design options for the site and there is active engagement in securing long-term occupiers and an email to the Council dated 3/3/26 states the objector is in the process of lodging a new planning application which is a result of the pre-planning meeting with Cork County Council. However no further details are provided nor has this progressed to an application.
- 7.7.8. I also note that if consent is given to acquire the site, the Council have indicated funding under the Capital Acquisitions Scheme would be leveraged to regenerate the site for social or affordable housing provision with a possible emphasis on

age-friendly housing provision combined with enhanced public realm. This would be subject to a Part VIII proposal or application to ACP.

7.7.9. I accept there has been ongoing engagement over a number of years but this has not resulted in redevelopment. Having regard to the matters set out above, active engagement carried out and considering that the owner has not progressed a viable alternative, I am satisfied that the Local Authority have demonstrated that the acquisition of the lands in question has a purpose i.e. addressing dereliction within Mallow, delivering housing targets, compact growth and town centre regeneration. Having regard to the details set out above, I am satisfied that the proposed compulsory acquisition of the subject property is acceptable for the intended use to regenerate this site for social or affordable housing provision.

7.8. Proportionality

7.8.1. I note that the owner has obligations (under Section 9 of the Act) to 'take all reasonable steps to ensure that the land does not become or does not continue to be a derelict site'. I also note that concerns raised about the condition of the site are acknowledged by the objector.

7.8.2. It is the objectors position that they have made a significant investment since acquiring the site and are committed to developing it to its full potential. The owner does not accept that compulsory acquisition is justified or proportionate. They state compulsory acquisition represents a significant interference with property rights and should only be pursued where all reasonable alternatives have been exhausted. The owners have been making attempts to redevelop this site in conjunction with the Local Authority and note there has been active engagement and ongoing development proposals, planning permission was previously granted on the site (2019) and further proposals have been advanced through pre-planning processes.

7.8.3. The objector outlines actions undertaken since the sites acquisition and say they are evidence of a clear and continuous intention to develop the site. They include commissioning structural engineering assessments, engagement with Cork County Council, progression of design proposals and pre-planning consultations,

participation in an HSE healthcare project procurement process, appointment of demolition contractors, undertaking demolition works and site clearance, preparation of environmental, asbestos and waste documentation.

- 7.8.4. I note that the objector also acknowledged delays and states these were not specifically due to lack of action but also due to external factors. It states a Council inspection took place in February 2023 but a report from the Local Authority did not issue until May 2024. The objection to the Council states this delay represents a significant factor affecting redevelopment timelines. Demolition delays also occurred due to requiring confirmation from Gas Networks Ireland around a gas connection which was necessary but took time. Documentation highlights structural and conservation considerations associated with the site and it is a complex site to redevelop due to its history and constraints. It is stated these factors must be considered when assessing the pace and feasibility of redevelopment.
- 7.8.5. With regard to the issuing of the Council report affecting conservation and redevelopment decisions, I note that the timeline of engagement submitted by the Local Authority includes that a meeting was facilitated between CCC and Peppard Investments Limited in April 2023 to outline in broad terms the David Kelly Conservation report findings. I therefore do not accept that the delay in issuing the report would result in a significant delay in advancing development proposals.
- 7.8.6. I note the objection to the Council states 'Demolition has been completed. Site clearance and installation of new hoarding are also completed.' While hoarding is in place, complete demolition and site clearance were not confirmed on my site inspection as there is a remaining wall and demolition waste on site. I note that the most recent Derelict Site Inspection Report in January 2026 confirms the Section 11 notice issued has not been complied with and the site remains derelict. I also note that the objection to the Council states 'The site subsequently passed inspection by the Council's Waste Management Officer' though no evidence of this is presented by the objector or Council.
- 7.8.7. As outlined in Section 7.7 above, the Local Authority records show significant correspondence commencing in 2022 and that efforts have been made both

within the confines of the Derelict Sites Act 1990 and outside of it (preplanning commissioning of reports, de-listing of facade) to facilitate the owners to develop. However, this has not resulted in redevelopment. While the objection states that an architect is engaged to provide design options for the site, there is active engagement in securing long-term occupiers and there is an email to the Council dated 3/3/26 stating they are 'in the process of lodging a new planning application which is a result of the pre-planning meeting with Cork County Council', I note that no proposal has progressed by the owner to an application. I also note that correspondence from the Council indicates an application form for Permission to erect Temporary Structure was issued to the objector on the 1/4/26 and no completed application form was received by the Council. There is no evidence of recent changes that have occurred to provide optimism that the dereliction is likely to be addressed soon.

7.8.8. Having considered the steps taken by the Local Authority, I am satisfied that the Local Authority has actively engaged with the owner and given them sufficient time and opportunity. I do not accept the objectors contention that the proposed compulsory acquisition would be excessive or disproportionate. I also do not consider that proposals to advance the site referenced by the objector amount to a viable alternative to compulsory acquisition. I am therefore satisfied that proposed compulsory acquisition is an appropriate and proportionate solution.

7.9. Conclusion

7.9.1. I am satisfied that the process and procedures undertaken by Cork County Council County Council have been fair and reasonable, that the local authority has demonstrated the need for the lands and that all the lands being acquired are both necessary and suitable to ensure that the lands do not continue to be a derelict site.

7.9.2. Having regard to the Constitutional and Convention protection afforded to property rights, I consider that the proposed acquisition of the Derelict Site comprising The Former Central Hotel Site', 133 Bank Place, Thomas Davis Street, Mallow, County Cork, containing 0.283 hectares or thereabouts, as set out in the Derelict Site Notice under Section 15 of the Derelict sites Act 1990 (as

amended) and dated 27th February 2026, pursues, and was rationally connected to, a legitimate objective in the public interest, namely, to ensure that the lands do not continue to be in a derelict condition.

7.9.3. I am also satisfied that the acquiring authority has demonstrated that the means chosen to achieve that objective impair the property rights of affected landowners as little as possible. In this respect, I have considered alternative means of achieving the objective referred to in the submission and am satisfied that the acquiring authority has established that none of the alternatives are such as to render the means chosen and the compulsory acquisition by the acquiring authority unreasonable or disproportionate.

7.9.4. The effects of the compulsory acquisition on the rights of affected landowners are proportionate to the objective being pursued. I am further satisfied that the proposed acquisition of these lands would be consistent with the policies and objectives of the Cork County Development Plan 2022-2028, and specifically Objective PL 3-2 Encouraging Sustainable and Resilient Places and Objective TCR 9-2 Vacancy and Regeneration which seek to actively address instances of dereliction and decay in the urban and rural environment and bring properties back into active re-use and to revitalise towns and villages. Accordingly, I am satisfied that the grant of consent to compulsorily acquire these lands is clearly justified by the exigencies of the common good.

8.0 Recommendation

- 8.1. Having regard to the observed condition of the application site, in particular the neglected, unsightly and objectionable state of the land and the structure thereon, the ruinous, derelict or dangerous condition and the presence on the land debris or waste, I consider that the site materially detracts from the amenity, character and appearance of land in the neighbourhood and is therefore a derelict site within the meaning of Section 3 of the Derelict Sites Act, 1990, as amended.
- 8.2. I consider that it is reasonable that the Local Authority seeks to compulsorily acquire the land, as provided by section 14 of the Act. I recommend that the

Commission grant consent to Cork County Council to compulsorily acquire the site.

9.0 Reasons and Considerations

9.1. Having regard to the ruinous and derelict condition of the subject property, neglected, unsightly and objectionable state of the land and the presence on the land of debris and waste, having considered the objections made to the compulsory acquisition, and also:

- The constitutional and Convention protection afforded to property rights,
- The public interest, and
- The provisions of the Cork County Development Plan 2022-2028,

it is considered that the site detracts to a material degree from the amenity, character and appearance of land in the neighbourhood and, therefore, comes within the definition of a derelict site as defined in sections 3(a) and 3(b) of the Derelict Sites Act, 1990, as amended, and that the compulsory acquisition of the site by the local authority is necessary in order to render the site non-derelict and to prevent it from continuing to be a derelict site. It is also considered that the objection made cannot be sustained, having regard to that said necessity and that the compulsory acquisition and its effects on the property rights of affected landowners are proportionate to that objective and justified by the exigencies of the common good.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my

professional assessment and recommendation set out in my report in an improper or inappropriate way.

Michele Beirne

Planning Inspector

2nd September 2026