

**AN INSIGHT INTO DEVELOPMENT CONTROL IN URBAN CENTRES OF
GHANA; A STUDY OF SEKONDI-TAKORADI**

BY

JERRY CHATI TASANTAB

(BSc. (HONS) HUMAN SETTLEMENT PLANNING

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DECLARATION

I, Jerry Chati Tasantab, hereby declare that this submission is my own work towards the MPhil Planning degree and to the best of my knowledge, it contains no material previously published by another person nor material which has been accepted for the award of any other degree of the University, except where due acknowledgement has been made in the text.

Jerry Chati Tasantab
(PG1205013)

.....
SIGNATURE

.....
DATE

CERTIFIED BY:

Dr. Charles Peprah
(SUPERVISOR)

.....
SIGNATURE

.....
DATE

CERTIFIED BY:

Dr. Daniel K. B. Inkoom
(HEAD OF DEPARTMENT)

.....
SIGNATURE

.....
DATE

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ABSTRACT

The Sekondi-Takoradi Metropolis has become the centre of attention in recent times due to the production of oil in commercial quantities beginning in 2007 in the Western Region of Ghana. The result has been an increase in population and land use activities in the metropolis. The question of how these increasing land use activities would be effectively controlled is a matter of concern. This study therefore sought to obtain valuable insights into the development control processes in the metropolis so that useful recommendations can be proffered in order to effectively control the increasing physical development activities.

The study adopted a combination of qualitative and quantitative research approach. The primary data used for the analyses were obtained through questionnaires, interviews and field observations. The unit of analysis for the questionnaires was landlords while heads of institutions were selected for the interviews.

The results suggest that the urban land has expanded tremendously. The residential land has increased from 52% in 2008 to 55% in 2014. The farmlands on the other hand have decreased from 30% in 2008 to 24% in 2014. To effectively handle the resultant increase in physical development activities, the Physical Planning Department has prepared various land use plans to control physical development. The results further show that 75% of respondents acquired development/building permits before the development of physical structures. However, the acquisition of occupancy and extension permits has been poor. The results again show that public participation in Physical Planning decisions has been limited to information giving at best. The collaboration among the various land use institutions has nevertheless been encouraging. Furthermore, the results revealed that the mainstream development control institutions (the Physical Planning Department and the Building Inspectorate Unit) are constrained in terms of staff and logistics and funds.

In view of these findings, major recommendations include the need for effective community participation in the preparation of development plans, intensive public sensitisation on development permit requirements and conditions, and increase in funding to the development control institutions.

It is hoped that effective implementation of the recommendations will adequately position the Sekondi-Takoradi Metropolitan Assembly to effectively control physical development in the face of the oil induced growth.

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LIST OF ACRONYMS

BUI	BUILDING INSPECTORATE UNIT
DCE	DISTRICT CHIEF EXECUTIVE
MCE	METROPOLITAN CHIEF EXECUTIVE
MCD	METROPOLITAN COORDINATING DIRECTOR
MMDAs	METROPOLITAN, MUNICIPAL AND DISTRICT ASSEMBLIES
MTDP	MEDIUM TERM DEVELOPMENT PLAN
NITP	NIGERIAN INSTITUTE OF TOWN PLANNERS
PPD	PHYSICAL PLANNING DEPARTMENT
P&G	PARKS AND GARDENS
SD	SPATIAL DEVELOPMENT FRAMEWORK
SPC	STATUTORY PLANNING COMMITTEE
STMA	SEKONDI-TAKORADI METROPOLITAN ASSEMBLY
TCPD	TOWN AND COUNTRY PLANNING DEPARTMENT
T&CP	TOWN AND COUNTRY PLANNING
UNECE	UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE
UK	UNITED KINGDOM

CHAPTER ONE

INTRODUCTION

1.1 GENERAL INTRODUCTION

A city is more than a collection of buildings and streets; it embodies the ideas of progress, of betterment, of success, of construction, and, also the mirror companions - failure, disappointment, tragedy, hopelessness and destruction (Ramesh, 2000). It is therefore the duty of urban planners and managers to take adequate measures to counteract these negatives with the positives. This however requires strong institutions (Brooks, 2009).

Cities must be prepared to accommodate new residents—this requires more forward thinking measures like updating urban planning regulations to enable density and to avert demand pressures for scarce housing and land to bid up prices excessively (Freire, 2006).

While there is the need to house the increasing number of people in the urban areas, how this housing is arrived at is a matter of concern to physical planners. To ensure orderly development of new housing and the supporting infrastructure on the one hand and expansion and/or extension, there has to be effective and efficient development control.

According to Tang and Tang (1999) development control is a major part of urban land use policy. As part of land use planning, development control is noted for promoting public interests, eliminating negative externalities, improving information base for decision making and redistributing public costs and benefits (Klosterman, 1996). Development control is the public sectors strive to control market forces in order to achieve varied social objectives. Development control strategy helps shape transformation of the urban built environment, particularly with regard to the renewal of dilapidated inner city areas by regulating private investment decisions on land.

How the institutions tasked to ensure this order in development work is an important subject that must be studied. The inability of the development control institutions to effectively execute the required functions has dire consequences on the urban environment. It is a well-known fact that the physical environment impacts greatly on health, productivity and hence, general welfare of inhabitants (McCann and Ewing, 2003). To meet the welfare effects of development control, the institutions must be very effective.

Unfortunately, the growth process of most settlements, especially in developing countries including Ghana has panned out in a reverse order. Therefore, the normative sequence of planning-servicing-building-occupation has now been replaced with occupation-building-servicing (Adarkwa and Akyaw 2001:203, in Yeboah and Obeng-Odoom, 2010). This has led to situations where planning has lagged considerably behind development.

To ensure organised spatial development, physical planning makes sure that urban activity is properly directed. Disorganised development has cost and health implications, and development control is the planning apparatus that forestalls both (Kawu et al., 2012). Development control has been long used as the tool to control and manage urban growth in many parts of the world, including Ghana. It is the basic way by which the state arbitrates the use and development of land in order to implement local and national planning policies. Development control processes provide the avenue for members of the public to come into contact with local planning authorities.

1.2 PROBLEM STATEMENT

Conscious efforts at ensuring harmonious spatial development and environmental sanity in Ghanaian settlements date back to the colonial era. Sekondi-Takoradi is one of the major cities of the country which initially saw some level of spatial planning and hence development control during the colonial times. The imperial developmental policies greatly influenced the spatial and physical development of towns in the country. The Town and Country Planning Ordinance of 1945 was the basis for zoning and building codes which were strictly enforced (Ahmed and Dinye, 2011, in Adarkwa, 2012). Spaces were left between buildings in the major towns, and they were made wide enough to provide vehicular access should the need arise.

Grant and Yankson (2002, in Adarkwa, 2012), attest that “zoning and building codes were strictly enforced to maintain an orderly European character and ambience in this district”; especially in the Central Business District (CBD), in the major Ghanaian cities including Sekondi-Takoradi. Development control has therefore been going-on in Sekondi-Takoradi since the colonial era.

However, the planning system and the Town and Country Planning Authority have come under intense public criticism for failure to effectively control development in the major cities (Adarkwa, 2012). The recent perennial flooding in the cities of Accra and Kumasi is a testament of this argument. In fact, a study of these cities confirms that they are sprawling (Cobbinah and Amoako, 2012). Planning has been unable to exercise effective influence on

the growth of human settlements in Ghana. For this reason, the growth of cities has been shambolic (Yeboah and Obeng-Odoom, 2010). Expansion is virtually occurring in a mostly accidental and uncontrolled manner, leading to sprawling low-density development that is uneconomic in terms of land use and service delivery. The planning mechanism seems to be overwhelmed because of noticeable limitations of human and financial resources (Adarkwa, 2012).

According to Yeboah and Obeng-Odoom (2010), urbanisation has outpaced planning in Ghana. They believe that planning in the country is reactive, and planners take short-term measures to address problems associated with the demographic and spatial change in the population due to human and logistical constraints. Physical development has therefore been haphazard.

According to Adarkwa and Post (2000), the cities in Ghana have seen tremendous changes in size, density and areal extent. Indeed, evidence has shown that Sekondi-Takoradi has experienced much change with an annual rate of 4.88% between 1991 and 2008 (Stemn and Agyapong, 2014). Adarkwa and Post (2000) note that this has led to physical development problems, including the following:

- Developments occurring in unapproved locations causing inconveniences;
- New subdivisions are created without provision for facilities; and
- Incompatible land uses.

These problems persist notwithstanding the fact that these cities are planned. Somiah (2014), suggests that 38% of the buildings in Sekondi-Takoradi are without permit or approval from authorities; 37 % of the buildings have unauthorized modifications while, unauthorized additions accounts for 3% of the buildings. This suggests that current framework for controlling physical development has been ineffective as suggested by Adarkwa and Post (2000). This study was therefore undertaken to reveal the processes and inherent challenges in controlling physical development in Sekondi-Takoradi.

1.3 RESEARCH OBJECTIVES

The main purpose of the study is to get an insight into development control in Sekondi-Takoradi. The research is thus aimed at achieving the following objectives;

1. To gain insight into the processes through which the Town and Country Planning Department effectively controls development;

2. To examine the level of public participation and patronage of development control processes;
3. To evaluate the roles state entities play to assist the Town and Country Planning Department to effectively control development; and
4. To recommend appropriate measures to ensure efficient and effective development control.

1.4 RESEARCH QUESTIONS

The study seeks to answer the following research questions:

1. How does the Town and Country Planning Department control Development?
2. What is the level of public patronage and participation in the development control process in Sekondi-Takoradi?
3. What support does State institutions provide the Town and Country Planning Department to facilitate effective development control?

1.5 SCOPE OF STUDY

The City of Sekondi-Takoradi is the capital of Sekondi-Takoradi Metropolitan Assembly (STMA) and the body responsible for its day-to-day administration. The Assembly is mandated by the Local Government Act, 1993 Act 462, (sections 12, 13, 14 and 15), to carry-out legislative, deliberative and executive functions through its 16 Departments and Units (L.I. 1961). The Metropolis is surrounded by Mpohor- Wassa East District to the North, to the South by the Gulf of Guinea, to the West by Ahanta West District and to the East by Shama District as can be seen Figure 3.1. It has a total land area of 49.78 km², and Sekondi is the administrative headquarters. The metropolis is located along the west Coast, about 280 km west of Accra and 130 km east of the Ghana-La Cote D'voire border. It is thus advantageously located in view of its proximity to the sea and the airports and accessibility to major cities by rail and road. The population for 2013 was 444,752 (STMA MTDP, 2010-2013) with a growth rate of 3.2% (CHF International Ghana, 2012).

Contextually, the study is investigating the various components of the development control mechanism, development and building permitting, land use planning schemes, and the Town and Country Planning setup. The study also examines the various legal instruments for development control in Ghana to understand the legal basis for development control. The legal instruments for study are the Local Government Act, Act 462, 1993; National Building Regulation Law, LI 1630, 1996; and the Town and Country Planning Ordinance, 1945, Cap 84.

1.6 JUSTIFICATION OF STUDY

According to Rabe et al. (2011), development control always refers to physical land use planning for cities, towns or countries. It is the process that enables the local authorities to assess proposed development in relation to national and local planning policies and other relevant factors such as the impacts of the proposed development on the environment. Development control includes not only the determinations of applications for planning permission such as material considerations, but also the enforcement of planning control. In general, the development control process consists of both the making of development plans and the practice of development control by local planning authorities through development plans and granting or refusal of planning permission.

It has however become very important to study the development control system in the country in light of the apparent haphazard nature of development, since effectiveness of the system usually shows in the physical manifestations. The development control process is influenced by plans, regulations and laws. To a large extent, the planning, regulatory and administrative framework upon which physical development takes place (Ahmed and Dinye, 2011) dictates its effectiveness.

Despite the importance of the Town and Country Planning Department in ensuring development control, the institution seems to be inadequately resourced (Adarkwa, 2012). It is particularly important to study development control in Sekondi-Takoradi as a result of the recent oil discovery and exploration activities taking place in the region. As a major port city and most important urban centre in the area, a lot of the influx of job seekers and migrants are likely to locate in this city to take advantage of the oil find. This sudden influx of people in search of jobs is likely to raise demand for housing. These migrants need to be housed (Obeng-Odoom, 2009). Increasing the supply of housing in the short run is however difficult. Notwithstanding this, opportunities for construction activities exist (Obeng-Odoom, 2009). Land owners and lords are tempted to build houses quickly to cash-in on the high demand. Some private developers have the notion that development control stifles development (Ngetich et., 2014), and there is a tendency to ignore the development control process altogether. The planning authorities need to function effectively to avoid these violations of restrictions. However, there are apparent logistic and financial challenges facing development control institutions (Adarkwa, 2012). To be able to work affectively the current challenges must be resolved.

It is therefore important to study the development control system in Sekondi-Takoradi and get empirical insight into the factors underpinning the effectiveness or otherwise of development control, so that informed recommendations can be made to ensure effective control of physical development in the midst of the oil exploration.

1.7 ORGANIZATION OF THE STUDY

This research report is organized into five chapters. The first chapter focuses on the general introduction to the study, including the background, problem statement, research objectives, research questions and justification. The second chapter dilates on the review of relevant concepts and terms on development control. The third chapter assesses the profile of the study area and the methodology. The fourth chapter presents analysis of data while the fifth chapter summarises findings, recommendations and conclusion to the study.

CHAPTER TWO

RELEVANT LITERATURE ON DEVELOPMENT CONTROL

2.1 INTRODUCTION

This chapter reviews relevant literature on Land use planning with special emphasis on development control. It takes us through land use planning, development, and development control and the process involved. The chapter concludes with a conceptual framework.

2.2 LAND USE PLANNING

All over the world, urban settlements are being influenced by new and powerful forces that necessitate careful planning by governments to manage the urban future (Tipple, 2011). The organisation further believes that demographic, economic and environmental factors are changing what takes place in the built environment. These factors are reshaping the configuration and fabric of almost all urban centres in the world (McIlwaine and Willis, 2014). The human being has however over the years intervened in a way that ameliorates the effects of the demographic, economic and environmental factors, and made deliberate decisions that have propelled urban growth in economically viable, socially acceptable and environmentally sustainable form and nature (Ngetich et., 2014). These deliberate decisions about what is to be done in the future is termed planning (Haub, 2009).

This writer believes that any deliberate attempts to alter the nature of using land for the purpose of securing aesthetics, convenience, economy, harmony, health and safety of the dwellers of a settlement is land use planning. Hermunen (2004) also defined land use planning as a process of examining different land use options, choosing between them and the making of a land use plan to make the chosen priorities to come true.

The Planning of land uses is necessary because a community is a pool of individuals with diverse needs, interests and lifestyles. Some of these needs are common, such as sanitation, fresh air, clean water, and open space for recreation. The nature of development of a city or town can impact negatively or positively on these needs and therefore the quality of life of its citizens ((Ngetich et., 2014). According to Thomas (2001), people have needs that must be satisfied. For instance, inhabitants of urban areas need housing, jobs, education, recreational opportunities, transport, and basic services like water, electricity, clean air and health care; which Land-use planning seeks to accommodate within a technical and spatial framework.

Land use planning is not a modern occurrence. The UNHabitat (2011) argues that urban land use planning has been going on since human settlements started. They assert that archaeological evidences have suggested that planning took place in the Middle East and North Africa, Latin America, Asia and Sub-Saharan Africa in ancient times. To support this assertion, Haub (2009) believes that land use planning takes place wherever people use land and its resources. Thus, land use planning takes place in every society; even if the term is not used.

Modern land use planning sprang up, especially in the UK, because of the need to solve the problems of squalor brought about by rapid urbanisation in the 19th century and partly to cope with rebuilding war-damaged cities after the Second World War (Thomas, 2013). Thomas (2013) believes that there was a coalition of interest in this; planning was seen as an arm of the welfare state particularly involving better housing, better working conditions, slum clearance and better health.

But if land use planning has been taking place, particularly in Sub-Africa since the ancient times (UNHabitat, 2011), why do Ghanaian cities appear to be unplanned? Why has planning failed to exercise control on human settlements growth, which has become jumbled (Yeboah and Obeng-Odoom, 2010)? The answer lies here in the fact that Ghana is experiencing unprecedented urbanization with 50% of the people living in urban areas while local governments are weak and unable to generate sufficient revenues for planned development (Frazier, 2011). According to Gyasi (2006), the problem of land use planning in Ghana emanates from lack of coordinate policy and planning, which is broadly interpreted to include policy formulation, planning, implementation, monitoring and feedback for resurvey and re-planning. Users of land are therefore hardly ever directed as to the environmental, social and economic consequences of their actions. Planning is reactive, short-term and haphazard (Ubink and Quan, 2008; in Yeboah and Obeng-Odoom, 2010)

The District Assemblies are responsible for land use planning but do little proactive planning and the few plans that are prepared are rarely implemented (Mensah, 2005). Urban areas face issues of unauthorised developments, absence of essential infrastructure, poor sanitation, health hazards, fire hazards, crime and squatter settlements. While these problems confronting land use planning persist, (Yeboah and Obeng-Odoom, 2010) noted that any attempts to study them have been accusatory.

The modern planning practice has evolved as a particular set of administrative arrangements, and procedures for the control of development and use of land (Yuen, 2007). As Thomas

(2001) notes, the land use planning process consists of the two main functions of Development/Land Use Planning and Development Control. Development control seeks to manage and regulate physical development (development in or on land) to ensure that all development takes place at an appropriate time and place and in such a manner that it conforms to a pre-determined set of policies or standards (Kiambi, 2014).

Furthermore, development control is an important function and the Planners who work to vet applications for development permits; and monitor physical development have a duty to ensure that the haphazard and chaotic development noted by Yeboah and Obeng-Odoom (2010) do not perpetuate. The Urban Planners have a responsibility to ensure that physical development is channelled to the right locations and at the right time. The Urban Planner must also ensure that the lives of housing dwellers are not endangered due to sub-standard building structures. Housing structures must also have a minimum level of amenities to making living worthwhile.

2.3 DEFINING DEVELOPMENT

Development is a term that has been defined variously by different people depending on their academic background (Forkuor, 2010). Definitions centre on economic development, social development, physical development, environmental development, psychological development, product development, and web development among others.

According to Fellmann et al., (2005) development is “the extent to which the resources of an area or country have been brought into full productive use”. From this definition, it can be deduced that the felling of trees into lumber is development. It can also be deduced that the conversion of vacant land to housing areas is considered development.

The British Town and Country Planning Act, 1963 section 12 (in Keeble, 1969) defines development as the carrying out of building, engineering, mining or other operations in, on, over, or under land or the making of any material change in the use of any building or other land.

Similarly, the Town and Country Planning Act (Act 172, 1976) of Malaysia defines “development” as the carrying out of any building, engineering, mining, industrial, or other similar operation in, on, over, or under land, the making of any material change in the use of any land or building or any part thereof, or the subdivision or amalgamation of land (Laws of Malaysia, 2006).

The definitions of the Town and Country Planning Acts of Britain and Malaysia provide a clear framework for defining physical development. These definitions imply that building, engineering, mining and industrial works constitute development. Therefore “development” in this document shall refer to the above definitions.

The connotation of development as spelt out in these acts (Town and Country Planning Act, 1963 and Act 172, 1976) exempts certain developments. Keeble (1969) lists these developments as follows:

- a. Works of maintenance or alteration to a building which does not materially affect its external appearance. This means that painting of a building requires development permission as it affects the physical appearance of the building;
- b. Road maintenance or improvement carried out by a highway authority within the boundaries of the road;
- c. Work on sewers, mains and cables by the appropriate authority;
- d. The use of any land for agriculture or forestry and of any building occupied together with land used;
- e. The use of buildings or land within the cartilage of a dwelling house for any purpose incidental to the enjoyment of the house; and
- f. The change of use of buildings or land from one use to another if both uses are within the same class.

2.4 DEVELOPMENT CONTROL AND PROCESSES

For any system to function effectively there is always the need for control and, balance which is a form of regulation for necessary operation (Obabori et al., 2007). The need for effective influence on the spate of development heralded development control. Therefore, Development Control came to the fore due to industrialization and urbanization which accelerated urban development between 1945 and the mid-1980s in many countries (Enemark and McLaren, 2008). The industrial revolution brought with it affluence and increased mobility following the invention of private cars. Housing was developed with the express intention of maximizing light, fresh air and green surroundings in new urban areas. This resulted in urban sprawl of a huge nature around the cities and towns. There was therefore the need for this development to be stemmed.

Historically, development control was first employed in the USA in the 19th century in New York City to ensure effective master planning through regulations regarding the sub-division of land, zoning ordinances and restrictive covenants (Ogundele et al., 2011). Also the

enactment of the Township Improvement Ordinance of 1863 ushered in development control in Nigeria, though this was applied to Lagos Colony alone. The aim was to improve public health and sanitation, control development and safeguard the provision of public utilities and facilities.

Development control is used to regulate urban development in Sri Lanka. This is much better compared to other alternatives, such as non-regulatory measures, as a result of resource scarcity. Development control is the main aspect of planning practice in this country and has been practiced since the institution of the Municipal Council Ordinance of 1865 and Sanitary Ordinance of 1882 (Samaratunga and Hare, 2013).

In Ghana, comprehensive control of development started with the Town and Country Planning Ordinance (Cap 84, 1945) which provided the background for the strict enforcement of zoning and building codes (Adarkwa, 2012). Before this period however, Ahmed and Dinye (2011) note that Development Control in Ghana dates back to 1859 when the Municipal Ordinance of 1859 was promulgated to regulate spatial development in the Accra, Cape Coast and Sekondi-Takoradi Municipal. The aim was to place all lands under the ambit and jurisdiction of the governor who had the power to determine the kind of operation that was permissible on a particular parcel of land. In 1925, another ordinance was promulgated to ensure a well-planned human settlement that conformed to health regulations.

These formal attempts to control developments were not a one-time activity but continued throughout the decades. In Britain in particular, the acts sanctioning development control have been revised, amended, repealed or re-enacted several times in their history. According to Pogbekuu (2007), the first act authorizing the preparation of planning schemes was passed in 1909. This marked the beginning of local councils' control over development decisions in Britain. Another act, the interim development control act was enacted in 1919 to help developers to proceed with developments while planning schemes were under preparation. Also in 1934, the Town and Country Planning Act was enacted to allow Local Councils to prepare planning Schemes for any land in England and Wales. A year later, the Town and Country Planning Act, 1944 was enacted. The purpose was to give Local Authorities the authority to earmark areas which had been bombed during the Second World War for reconstruction.

The act of 1947 provided the framework for modern development control in UK. This act was further amended in 1953, 1954, 1959, 1960 and 1962. The act of 1962 was repealed and the subsequent legislation also repealed and consolidated in the act of 1971. This act was

again amended in 1972 and 1986. Another consolidation took place in 1990. The existing legislation was consolidated into three different legislation giving rise to the act of 1990. Further amendments were made in 1991 and incorporated into the 1990 act. Another act authorizing development control was enacted in 2004, the Planning and Compulsory Purchase Act. In order to have more footholds on development the British government have recently enacted the Growth and Infrastructure Act of 2013.

However, this has not been the case in Ghana, since the promulgation of the Cap 84 in 1945, and its amendment in 1958, no revision has been done ever since. The regulations have therefore failed to meet the changing urban development situation in the country. It was until 1993 that the Local Government Act, act 462 (section 49) empowered the planning authority to prohibit, remove, abate or demolish any development which is found to be going against the proposals in the scheme. Section 12 of this act bequeathed the planning of towns and cities into the domain of the District Assemblies. The National Building Regulations of 1996 (LI 1630) was also enacted to provide more guidance for development operations. These enactments provided fragmentary, archaic and sometimes conflicting regulations on development control. This led to the Land Administration Project (LAP) to “consolidate the laws on land use and planning, provide for the orderly and progressive development of land, towns and other areas through a decentralized planning system, ensure sustainable development and improvement in the quality of life and human settlements, and ensure the continuous improvement in the development and judicious use of land, regulate national, regional, district and local spatial planning, promote health, safety order as well as provide for related matters” (Draft Land use and Planning Bill, 2011).

Keeble (1969) indicates that a local planning authority should ensure that development control promotes the right use of land and that the powers of development control are not used for other unrelated purposes. Similarly, Flynn-Dapaah, (in Yeboah and Obeng-Odoom, 2010) sees development control as controlling the carrying out of building, engineering, mining and other operations on, in, under or over land or the material change in the existing use of land or building and includes subdivisions of land or disposal of waste on land including the discharge of effluent into a body of still or running water and the erection of advertisement or other hoarding. This is usually considered a state responsibility as stated by UNECE (2008) which among other things state that planning is largely a public sector function to influence the future spatial distribution of activities.

Furthermore, it is a strategy used by planning agencies to ensure effective and efficient implementation of urban and rural development plans. It also helps to regulate the flow of infrastructural facilities. Planning agencies also use development control to either approve or refuse development applications (Ogundele et al., 2011).

In addition, development control is a process through which physical development permits or building plan approvals for development are granted via the submissions, assessment, registration and processing of building plan applications. It is a statutory measure to ensure an orderly, conducive and healthy environment is created for living, working and recreation, among other legitimate activities in human settlements. For development control to be possible there must be approved and up to date development plans, enforcement and sanctions (NITP Ogun State Chapter, 2011).

Ahmad and Bajwa (2005), also see development control as the mainstay of the land use planning system. It is the apparatus through which planning touches most people and, possibly, could be thought to have its most direct effects. In addition, the importance of development control is that it ensures that permission is granted for all manner of development. Larger areas are planned using land use controls such as zoning, and subdivision controls whereas the details of individual buildings are controlled through building controls such as permitting. The authors also believe that development control is mainly concerned with the use, area, space and construction details of building. Because of the comprehensive nature of building controls, many development applications are vetted and approved within local planning agencies.

The NITP Ogun State Chapter (2011) also believes that development control works very well in places where development plans are in place. The non-application of development control can be hazardous and detrimental to the environment. Development control is important for achieving physical orderliness, conducive and healthy living, good accessibility, economy and harmony of development, aesthetics and safety.

Development control hinges on development regulations. According to (Philip, 2007), these regulations include master plans, zoning plans, detailed development plans, Planning Standards, usage of buildings, coverage, Floor Area Ratio, set-backs, open spaces, height, number of storeys, and parking requirements among others. These regulations concern various developments on land and different categories of buildings.

As a wide ranging subject, Thomas (2013) believes development control embraces all human activity as far as it is expressed in the use of land. He classifies development control based on the following criteria:

Substance and Procedure: in this case development control is concerned with the real substance of development; for instance, the colour of a building or the width of a road. It is also concerned with a rational and legal procedure – a beaucratic paper process by which decisions are made. Substance and procedure are however inseparable in practice.

Scale: Thomas (2013), again asserts that development control operates at widely different scales. At a modest scale it may be concerned with the type of bricks or tiles used in a building. At the highest end of the scale it could deal with an international airport extension. The customary scales of operation are site level, local or district level. Many development control applications are small householder applications.

Activities in adapted space: He further believes that planners are concerned with four basic types of human activity and the buildings and the spaces that accommodate them; workspaces, such as factories and schools; residential buildings, such as houses and residential institutions; and leisure facilities, such as playing fields and theatres. Transport is the fourth activity which physically connects the other three, for example by road. Development control is not only concerned with new buildings but also new activities in old buildings. For example, consider the conversion of an old house into an office, and the associated parking implications that come with the change.

2.4.1 Purpose of Development Control

There is a purpose to which development control is practiced. According to Thomas (2013), the purpose of development control is part of the wider purpose of town and country planning, and ultimately environmental planning. It is said that at the highest level of generalization development control is to ensure efficient and effective land use planning that satisfies public interest.

The purpose of development control is also to ensure that activities on the land and building developments do not compromise good practices. Therefore misuses or abuses are forestalled (Ogundele et al., 2011).

Qian (2010) also believes that orthodox control of land developments like zoning is commonly accepted by planners as an essential method to assuaging market imperfections such as negative externalities or social cost, and provision of public goods.

To illustrate the reasons for controlling development in the 19th century, Thomas (2013) believes that development control was to control disease and promote health. In addition, by the 20th century proactive plans were being produced to control land use activities in accordance with a strategy, rather than just to regulate buildings. Development control therefore became an activity to promote development. It also became a means of resolving conflicts between competing land interests.

Klosterman (1996) also shared the view that planning emerged at the turn of the century with the main purpose of raising amenity levels, increasing efficiency in the performance of necessary functions; and promoting health, safety, and convenience and thereby improving the built environment.

Furthermore, Adzi-Tay (2012) listed the following as some of the objectives of development control:

- To protect critical areas such as flood plains, marshes and nature reserves from being destroyed through unauthorized development; and
- To achieve co-ordination through time to attempt to make sure that today's development decisions will lead towards tomorrow's goals.

In a nutshell, the purpose of development control can be summarized in this: to ensure order, convenience, safety, health, economy, harmony and aesthetics which would inure to the higher standards in the lives of inhabitants. In terms of health, the purpose is to create and promote healthy environments for all people, ensure that land is used for the right purposes, ensure orderly development and avoid encroachment on sensitive areas. In aesthetics, the aim is to protect the uniqueness of the town or city and ensure beauty in its design.

2.4.2 Development Regulations

There are numerous regulations that control how physical development activities should be carried out. These regulations are master plans, zoning plans, development plans, planning standards and building codes. These regulations are important because they provide the platform for development control. Decisions concerning uses that can be permitted and others that cannot be permitted in an area are based on the provisions of development regulations. It is therefore important to briefly explain what these terms imply in development control.

Development plans

According to Adams (2005), Development Plans provide a context for control decisions by stating the strategies and principles that the planning authority will adopt in seeking to manage land-use and environmental change. A development plan indicates where an authority wishes to encourage development (by allocating land for specific uses), prevent it (e.g. by designating land as green belt) and direct it (through a combination of the previous two, e.g. by allocating land for a new shopping centre within a city while preventing its development on the fringe). From this explanation, development plans can be defined as statutory documents that specify what types of development activities should be carried out and how, where, and when such development activities should take place. There are various types of development plans, namely master plans, structure plans and local plans.

Master Plans

A master plan is a guide for the future. It is a comprehensive document with a long term vision, usually 10 to 20 years, which guides the development of a town or city. It is intended to guide public and private decisions on the use of land. According to Rangwala et., (2009), a master plan is a general plan for the future layout of a city showing the existing and proposed land uses. It is prepared to control the future growth of a town along preconceived and predetermined paths. Rangwala et al., (2009), further notes that a master plan is also called a development plan or town plan.

Zoning Plan

Zoning is a tool used by the planning authority to determine the accepted uses and form of development of and on an area of land. According to the TCPD (2011b), *“Zoning defines the use category of the land, prescribing allowable and non-allowable activities and developments on a parcel of land within a zone. The document which specifies zoning provisions for an area is a zoning plan. The TCPD further states that the zoning plan is a key component of the structure plan (which is discussed in detail in 2.5.2.1)”*.

Planning Standards

Planning standards are used in Town Planning as recognized models for imitations (Aluko, 2011). Planning standards provide the guides used in dimensioning when preparing development plans. Planning standards are also a set of criteria for determining the scale, location and site requirements of various land uses and facilities (TCPD, 2011b). There are basically two types of standards; mandatory standards and discretionary standards. The

mandatory standards provide the minimum space requirements or basic considerations that must be satisfied (Rangwala et al., 2009).

Building Codes and standards

A building code is a set of rules that specify the minimum acceptable level of safety for constructed objects such as buildings (Trombly, 2006). They also provide minimum standards to ensure the public safety, health and welfare insofar as they are affected by building construction and to secure safety to life and property from all hazards incident to the occupancy of buildings, structures or premises. The national building regulations of Ghana (LI 1630) for instance, specify the details that are needed to ensure that buildings are safe for human habitation.

The implementation of these development regulations require institutions which have been adequately resourced. Therefore, the Town and Country Planning System shall be discussed in the next section.

2.5 THE TOWN AND COUNTRY PLANNING SYSTEM AND DEVELOPMENT CONTROL

2.5.1 Responsibilities of the Town and Country Planning Department

According to Wapwera and Egbu (2013), planning authorities and agencies are set-up to carry out planning activities to promote growth and development in urban areas. The Town and Country Planning Department is the state agency responsible for exercising the powers of development control.

Yuen (2007), also states that the authority responsible for the day-to-day administration of physical planning in Singapore is the Urban Redevelopment Authority (URA) which performs the following functions:

- Preparing and revising development plans;
- Controlling land use and development;
- Providing good urban form;
- Implementing conservation; and
- Coordinating public and private sector development proposals.

To further elaborate on the duties of the Town and Country Planning Department at the Metropolitan, Municipal and District level, Adarkwa and Post (2000) postulate that the department performs the following responsibilities:

- Preparation of Outline Town Planning Schemes;
- Preparation of detailed sector layouts;
- Enforcement of land use regulation and the issuance of development permits; and
- The coordination of all aspects of physical planning carried out by the government.

Though, there are slight variations of these responsibilities from place to place, the general observation is that the Town and Country Planning Department is the state agency tasked by law to control the development of land.

In Ghana, the Planning Department is the secretariat of the District Planning Committee. The department is largely responsible for preparing development plans for both public and stool lands and the preparation of policies to steer and guide spatial growth and physical development of settlements. It also implements development policies to promote orderly and sustainable spatial and socio-economic development of settlements (Forkuor, 2010).

2.5.2 Role of Development Plans in Development Control

The basic and most important instrument for regulation and control of development is the Development Plan. According to Thomas (2013), Town and Country Planning would appear to be about plans in the eyes of the layman. The study however believes that the general public seems to know more about the role of development control in the planning system than they do about development plans. Thomas (2013) further believes that development plans are important as a framework for making development control decisions and there is a realization that the plans are often dated and cannot cover every contingency. The primary guiding documents for development control decisions are development plans.

Aluko, (2011) believes that a development plan is an official document, which sets out the key policies regarding physical development of a settlement in the future. The writer also thinks that a development plan has to provide a basis for satisfying the longings and ambitions of the people. A city is like a business entity which a local government controls. The development plan provides the legal and institutional foundation for such a control.

This agrees well with Maidin's (2010) assertion that development plans are policy documents, prepared by development authorities, providing guiding principles on the type of development that is permissible in a designated area. Otherwise, landowners or developers

will be left to decide their own planning principles, which of course will be on maximising profit. It would appear that, with the existence of development plans, all plans submitted to a local planning authority will be required to make major changes to meet the requirements of the provisions of the development plans, and provide information to residents of a local authority area on all proposed future development in their area. Maidin (2010), further claims that there are instances where local residents have hurled unfair accusations on local authorities as not acting in compliance with law if they do not agree with the proposed or approved development. Local plans that clearly spell out the type of future development have the effect of minimising such misunderstanding.

The Planning Policy Guidance (PPG1, in Maidin 2010) of the UK postulates that the planning system controls the use and development of public landed property. The development control system as a whole and plan preparation for that matter is the greatest way of integrating the need for development and the safeguard of the environment. Thus development control has a crucial part to play in ensuring that the government's strategy for sustainable development is achieved by facilitating development in places which do not negatively affect the ability of future generations to meet their needs.

Furthermore, plans are prepared for the following reasons, according to Thomas, (2001);

- Envision the development needs of an area;
- Detect pertinent development concerns;
- Find prospects for and restrictions to development;
- Find areas which are appropriate/inappropriate for diverse categories of development;
- Make suggestions for the way in which the area should develop over time; and
- Establish guidelines and ethics to guide development.

As a precursor to development control process; a development plan, be it regional/structure/master/district/ local/action/town and or rural plan and or scheme, must be in place to guide the land use distribution through which development control process can be effectively achieved or without which development control process cannot be an effective human settlement management or a successful physical development implementing tool (NITP Ogun State Chapter, 2011).

However, local plans have an immediate say in how development is controlled, since it subdivides land into buildable lots and provide detailed guidelines on what can be built where and how (TCPD, 2011a). This is also one of the requirements to verify the use zone to which

a new development falls during the processing of development applications. In line with this, structure plans and local plans shall be examined closely here.

2.5.2.1 Structure plans

A structure is a legal document that contains a report, structure plan map, other technical supporting documents and plans, to provide a context for the coordinated delineation and arrangement of future land use, subdivision and development in new urban areas (greenfield sites) and in existing developed/redevelopment areas (brownfield sites) in metropolitan and regional areas (Western Australia Planning Commission, 2012). The commission also notes that the structure plan is a very important instrument for regions or urban areas where land ownership is fragmented as in the case of Ghana where multiple families, stools and individuals own land.

The structure plan also defines all land uses, including residential, commercial, industrial and mixed use areas, major open space, agricultural areas and areas requiring special treatment, such as areas of out-standing natural beauty, conservation areas and areas of historic or cultural importance, as well as areas for upgrading or regeneration and security areas as well as the alignment of major transportation routes, major water and sewerage infrastructure and power networks (TCPD, 2011a). Structure plans are the basis upon which local plans are prepared.

2.5.2.2 Local Plans

According to the TCPD of Ghana (2011a), a Local Plan is a plan which proposes the disposition of land by function and purpose, or to be preserved in its present state, to meet the present and future identified community needs within the time frame for which the plan is valid. The department further states that Local Plans should be prepared when needed and the uses of land must be in conformity with permitted uses of the land in the designated zoning classification, as identified in the approved Structure Plan. The study therefore sees the functions of local plans as:

- Applying the strategy of the structure plan: giving particular attention to the proposed changes in development and use of land;
- Providing a detailed basis for development control: local plans are the official development control documents, giving precise information concerning uses allocated to particular sites, planning density standards and so on;

- Providing a basis for coordinating development: build coordinating units between public and private resource agencies and add positive elements to development control; and
- Bring local and detailed planning issues before public: showing in particular how various interests will be affected by the outworking of the plan.

2.5.3 Public Participation in Local Planning

Development control is a managerial apparatus that transcends urban development, urban planning and urban management in an effort to guarantee that appropriate and commended development is embarked on. It is however not a stationary mechanism since it also involves compromise in the course of altering the urban environment in order to accomplish the public interest (Thompson, 2000, in Chipungu, 2011). The approach is anchored on the ideology of participation in which all stakeholders are expected to work together in the development process. On the other hand, where stakeholders and beneficiaries fail to agree on certain issues arising out of the development plans or conditions enshrined in the development permit, they can appeal the decision in the Administrative Court (TCPD, 2011a).

Planning is not a job reserved for the professionally trained planner only; it involves getting many different people to work together towards common goals (Maidin, 2011). The procedure for local plan preparation necessitates that satisfactory publicity is afforded to the matters to be contained in the local plan (Telling and Duxbury, 1993). Public participation is therefore an important component of the local planning process. The various interests groups must be involved in the decision-making that would lead to the approval of the plan. According to Bruton and Nicholson (2013), the statutory requirements for public participation is simply that the local planning authority should provide adequate publicity in the area to issues planned to be incorporated in the plan, give those interested an adequate opportunity to make representation and make them aware of this opportunity.

It is understood by the study that local plan proposals for radical change can be expected to generate hostility and public consultation provides local authorities with a means of smoothing their progress especially in terms of reducing the number of objections laid against the plan.

Accordingly, the most common methods of securing public participation in the local plan process are: public meetings, questionnaire survey, the distribution of leaflets and news-sheets, exhibitions and the use of local press and radio. Other methods as pointed out by

Bruton and Nicholson (2013) include community panels, area discussion groups and community forums.

2.5.4 The Development Process and Development Control

The development process is a lengthy and complex process (McDonagh, 2009). The product of property development is a change of land use and/or a new or altered building in a process that combines land, labour, materials and finance (Wilkinson and Reed, 2008). Furthermore, the end product is unique, either in terms of its physical characteristics and/or its location. This process is concerned with stages by which buildings are built (Thomas, 2013). According to the study, the principal stages are; Initiation, Building and Disposal.

2.5.4.1 Initiation

This stage of the development process includes all of those activities that must be completed before construction can begin. This typically relates to: architectural and engineering studies, initial site control, environmental studies, zoning variances, and feasibility analyses. Permission is usually sought towards the end of the initiation stage before building begins (Thomas, 2013). According to the author, the whole process of development is affected by development control considerations. Development control is a small but vital part of the development process. Millington (2007) also believes that the developer needs to develop a concept based on the nature of development, whether the development is on a new land or the redevelopment of an old structure. Harding's (2011) agrees with Millington's (2007) notion that a prospective development is commenced through the expectation of need for a particular kind of development, or the expectation of a potentially advanced value for the use of an existing site.

Development may not always be building on new sites. Wilkinson and Reed (2008), on their part, note that development is commenced when either a piece of land or site is judged appropriate for a different or more intensive use, or if demand for a certain use leads to a search for an appropriate site.

Thomas (2013) states that the commencement phase includes site investigation. The purpose of the site investigation is to scrutinize the site conditions before the developer enters into an agreement to procure a particular site. It is imperative to clarify the physical and legal conditions of the site as unforeseen risks may incur expense/delay or even discourage property development at a later stage. The physical site conditions that should be scrutinized comprise the site's load-bearing capacity, ease of access, site drainage, the connection with relevant utility services, infrastructure provision, and any likely underground problems or

contaminants. The legal considerations comprise the site's ownership and possession, easements, restrictive covenants, the planning status of the site and, also what type(s) of building can be built on that site (Harding, 2011).

Wilkinson and Reed (2008) are of the notion that except the developer is the existing site owner; all legal questions relating to the site need to be evaluated: these comprise ownership, existing planning permissions, and any rights of way, light or support. Cautious planning is essential to establish who the current owners of the site are and what is needed to acquire the right of use.

Thomas (2013) also suggests that the initiation stage crucially involves the investigation of the planning status of the proposal. If planning permission cannot be obtained, when in fact it is required, then this will hamper the project. The conditions and limitations attached to permissions can affect a development project in later stages. Wilkinson and Reed (2008) agree with this saying every development (with a few minor exceptions), needs planning permission from the local planning authority prior to its initiation whether it is change in use or a new building. A thorough application typically encompasses submitting to the planning body thorough drawings and information on siting, means of access, design, and external appearance and landscaping.

2.5.4.2 Building

This is the actual acquisition and construction or rehabilitation of the housing. This is the stage where the development plan of the developer is implemented. According to Thomas (2013), this stage may be a simple house extension, in which case planning conditions are not likely to be very important. On large sites, such as a factory estate or mineral working, planning conditions may affect the development.

The housing is built and operational planning is completed during this phase. Specifics include:

- Obtaining building and other permits to obtain permission to proceed with construction;
- Preparing the site and actually building the housing;
- Managing the construction; and
- Completing construction and obtaining a certificate of occupancy.

2.5.4.3 Disposal and final use of the property

According to Thomas (2013), the disposal of the property may be by sale or lease or the developer may use the property himself. In any event, conditions imposed by the planning permission run with the land. Conditions that may affect the development at this stage involve the maintenance of the landscaping and restrictions on occupancy. During the building and disposal stages, the local planning authority checks that the development has been carried out as approved. If there are major departures, then the local planning authority may decide to act. If enforcement is involved, unauthorized buildings may have to be demolished.

The disposal may be by way of leasing or the downright sale of the freehold interest. If the property is a major retail development, there may be many leases. But a single office complex can be sold outright (Wilkinson and Reed, 2008).

2.5.5 Development Control through Planning Applications

Planning applications are applications for permission to undertake development. This application may either be for a new development or change of use of an old development or an extension of a building (TCP-England, 2010). There are basically two forms of planning applications. These are development permits and building permits.

A Development Permit is a practical approach for directing development in a manner consistent with community values. An approved Development Permit is binding for both the present and future owners of the property. There is a difference between a development and a building permit. Also a building permit generally relates only to the construction aspects of a particular building or development (District of Maple Ridge – Planning Department, 2013).

According to Somiah (2014), building permits grant approval to prospective developers to build structures in approved locations. This building activity must take place within an established time frame and in accordance with national building regulations. The building permit is a legal document and covers any property whose plans are judged to be suitable for implementation and subsequent human dwelling. Somiah (2014) further states that building permits are normally approved for residential, industrial and commercial buildings which are permanent structures. Temporary or makeshift structures can also be given approval. Such temporary structures include kiosks, metal containers, local fabricated metal containers and advertising hoardings or boards.

The National Building Regulations (LI 1630) of Ghana also provide the guiding principle for development and/building permits. It states in section 2 that any person who intends to erect

any building; or make any structural alteration to any building; or execute any work or install any fittings in connection with any building shall apply to the District Planning Authority. It also stipulates that an applicant shall satisfy the District Planning Authority that he has good title to the land (LI 1630 section 3(1)).

The regulations further state that the applicant shall also submit to the District Planning Authority a certificate signed by a Licensed Surveyor to the effect that the corners of the plot on which the building or work is to be carried out have been demarcated on the ground in a permanent manner in accordance with the site plan.

In addition section 8(1,2) of the LI requires that where a person submits an application for a building permit, the District Planning Authority shall notify him within seven (7) days of the receipt of the application and shall within a period of 3 months thereafter notify the applicant whether the application is granted or refused. An applicant not informed of the grant or refusal of the application may after the expiry of the 3 months commence development on the basis that application is acceptable to the District Planning Authority. What is however not clear is whether the Planning Authority can go ahead to prohibit, abate, remove or demolish (Act 462 section 55) such a development which contravenes section 49(1) of the Local Government Act.

Due to the elaborate nature of these provisions, it begs for answers why developers seem to not be adhering to them. Some writers believe the difficulty lays in the very requirements. According to Yeboah and Obeng-Odoom (2010) to obtain a building permit, a prospective developer in Ghana is required by Section 5(3) of the National Building Regulations to provide the following:

- Clearly and accurately delineated plan in ink or otherwise to the scale of 1:100;
- A detailed description of the building showing clearly the purpose of each room;
- Indicate the stages and methods by which the developer intends to construct the building;
- Indicate the materials of which the building will be constructed and show clearly and accurately the position and dimensions of the foundations;
- Indicate the method of disposal of storm water, domestic waste water and sewage, in a block plan to the scale of 1:1250;
- Clearly indicate the method of water supply;
- Include the plan and section of every floor and roof;
- A site plan to the scale of 1:1250 showing adjoining streets; and

- A site plan which shows the height of adjoining properties

Yeboah and Obeng-Odoom (2010) further state that, in addition to the above requirements, applicants are expected to provide a land title certificate and detailed engineering, architectural and structural drawings and, sometimes, a geological certificate. It is important to ensure that the health and safety of physical developments in cities is not compromised. This has however not been the case as it is reported that the requirement for a land title certificate as a prerequisite for planning permission has proven to be counterproductive over the years. Applicants are unable to provide good title and this accounted for over 90 per cent of refused planning permit applications. Furthermore, less than 50 per cent of the urban population can satisfy the planning requirements in Ghana. The requirements for permit applications are seen to be ‘scary and intimidating’ as a Town Planning Officer attested;

[The requirements] in practical sense make it more difficult for people to come to us [for planning permit before development]. But not all the documents are important. If you are assessing [planning] applications, there are few major documents you really need to focus on [sic]. The rest, we do not scrutinise.

In the light of these issues planning applications have generally been ignored by developers in development activities.

It is important to understand the processes that developers are required to adhere to in order to secure permission in other jurisdictions. These processes make it possible to determine whether “the influences from indigenous colonialism, modernism and globalism” (Yeboah and Obeng-Odoom, 2010) have affected planning applications and ultimately development control in the country.

Furthermore, Rabe et al., (2011) noted that applicants for planning permission in Sabah, Malaysia, are required to submit a layout plan which contains:

- A certified copy of land title or other legal documents such as power of attorney;
- The completed form of planning application with an introduction letter;
- 16 sets of plans or any prescribed number of copies as determined by the Council;
- Accompanying fees as prescribed by Building By-Laws 1951; and
- Development plans signed by the owner or relevant professionals and a space of 10cm x 15cm (4” x 6”) on the right-hand side of all development plans have to be reserved. This is for use during endorsing the approval of the plan.

Rabe, et al., (2011) further contend that during the planning application process, the applicant is required to submit development plan together with land title, boundary and topography survey report to the local authority. During the process for making a verdict, details of the development plan will be reviewed by a committee whereby detailed discussions by relevant government agencies are carried on. Through this process, the Town Planning Department will check the proposed developments against the Planning Scheme for the zoning provision, plot ratio, set back, road patterns and parking requirements. In every planning scheme document, there are conditions mentioned which include a restriction or prohibition on location, height, yards, positions of buildings and coverage of drainages in the site. In general, conditions imposed by the local authorities are dependent on the types, scale of the application and provisions of development plan submitted.

In addition Ng and Xu (2000) write that the 1989 City Planning Act, in China, stipulates that planning permission is needed for all land developments. Every development application is assessed by the local planning authority under the control of the city government. The planning authority evaluates proposals for development in accordance with the planning proposals in the city plans and other government rules or regulations.

According to Doublet (2002), provisions of the 1992 Development Planning Act of Malta instruct that any person who intends to undertake a development (except developments where permission is granted in the General Development Orders) is mandated to apply for consent and must adhere to the regulations in operation at the point in time. Doublet (2002) further states that section 33(1) of the act stipulates that when the authority is determining an application, it should consider:

- “Policies emanating from the existing structure plan and from any subsidiary plans, if any;
- Development plans;
- Representations made in response to the publication of the proposal; and
- Any other material consideration including aesthetic, sanitary and other considerations which the Authority may deem relevant.

When all the necessary requirements are met “A development permit is issued in favour of a particular piece of land and not in favour of an individual”, it states.

From the preceding, it can be seen that the requirements for planning applications as a necessary step towards development control are universal. The requirements however need to be tailored towards the development needs of the country concerned.

2.5.6 Monitoring and Enforcement of Development control Processes

Monitoring and enforcement are a very important exercise in the development control process. Without these twin functions, many of the regulations and rules for regulating development would not be adhered to by the developers as mentioned earlier in this chapter. There is the need for monitoring and field inspections to ensure plans are complied with. However, compliance does not happen automatically – achieving it usually involves efforts to encourage and compel behavioural change - that is enforcement (Matovu, 2006). The institutions that are charged with this function vary from one jurisdiction to the other.

According to Leitmann (2000), environmental regulation has been so successful in Singapore because public awareness of new environmental measures is followed by monitoring and inspection with strict and consistent enforcement of serious penalties. Sanctions are also required to deter people from developing against the requirements of the law.

In Ghana, the national building regulation mandates the Building Inspectorate Unit of the Works Department in the Assemblies to monitor development activities on a daily bases to ensure that developments are in accordance with the drawings presented for permit approval. It is also the duty of building inspectors to ensure that developers to do not construct structures without first obtaining permits from the Assembly. Every developer who does not adhere to building regulations is sanctioned by the Assembly (Quartey, 2011).

There are basically two tools used in enforcing development control processes (Ogundele et al, 2011). These are enforcement notice and stop notice.

2.5.6.1 Enforcement Notice

An enforcement notice is a notice requiring compliance with planning consent. An enforcement notice can require the demolition of a building erected without planning permission (Smith, 2014). Enforcement Notices are documents served by a planning body which require the use of the land to be stopped and / or any buildings or structures that do not have planning permission to be removed. The planning body must find out the names of all the owners and occupiers of the property to ensure an Enforcement Notice is served correctly. Enforcement notices are also issued where a person has committed or is committing a development offence, such as undertaking building work without first obtaining the required development permit - enforcement notices are issued for work-in-progress (Queensland Government, 2002).

Ogundele et al., (2011) also explain that when there is a breach of Town Planning law associated with development, such as carrying out of development without planning

permission (approval), an enforcement notice is served to the developer in question. It concerns illegal building, engineering, mining, and change of use among others.

Adzi-Tay (2012) adds that a written notice may be served to an offending developer. Such a developer is required to write to the Planning Body specifying reasons the said development should not be prohibited, abated, altered, removed or demolished. Failure to exhibit sufficient cause for such development results in the prohibition, abatement, alteration, removal or demolishing and all expenses incurred are written against the owner of the property as a debt owed the Planning Authority.

To issue an enforcement notice, Smith (2014) believes that planning authorities must be satisfied that there is a breach of planning control and it is expedient to issue the notice in accordance with the development plan. Normally, the owner or occupier of the land or property can appeal an enforcement notice. When the enforcement notice has not been adhered to, the local planning authority can prosecute the offenders in a court of law.

2.5.6.2 Stop Notice

A person commits an offence if an enforcement notice is in effect and they have not completed the steps required in the enforcement notice within the compliance period specified in the notice (Leeds City Council, 2014). The planning authority can therefore serve a stop notice on the developer. The Council also posits that a stop notice can prohibit any or all of the activities which are cited as being breaches of planning control specified in an enforcement notice for a particular site before the enforcement notice take effect and the period for compliance expires. A stop notice cannot be served without an associated enforcement notice. If a stop notice is contravened then the person contravening it may be prosecuted for an offence.

It is further maintained that the stop notice is used to prevent the continuance of operations pending the outcome of an appeal against an enforcement notice. The stop notice is an indispensable enhancement to an enforcement notice, and cannot be served until an enforcement notice has been issued. Once an enforcement notice has been issued, a stop notice can be served to prohibit any activity complained about in the enforcement notice. There is however certain types of activities that cannot be prohibited by a stop work notice. These include:

- When a building is being used as a dwelling house;
- When a piece of land is being used as the site of a caravan inhabited by a person as his sole or main residence; and

- When steps are being taken to ensure that the breach of regulations complained about in an enforcement notice is remedied.

The stop notice may be served on a contractor as well as the owner or occupier of land or property. There are no appeals against a stop notice and failure to comply is a punishable offence. According to Ogundele et al., (2011), the time frame is usually 21 days within which such development shall comply with prescribed provisions.

The monitoring and continuous enforcement of the development plans and building regulations is an important component in development control. Without effective monitoring and enforcement, the provisions of development plans and the conditions attached to permits may be contravened. One institution in Ghana that is responsible for this process is the Building Inspectorate Unit. Employees of this unit within the planning set up in the country are given the authority through the Town and Country Planning Ordinance (Cap 84) and the Local Government Act, Act 462, to prohibit, abate, remove, pull down or alter non-conforming developments to bring them in conformity with development plans and permit regulations. Other actors like land owners and developers whose actions and inactions can promote development control are discussed below.

2.5.7 Key Actors in Development Control

Development control is a process that involves many actors (Harding, 2011). From the inception of a development project to its completion, many individuals, groups, agencies or professionals are involved in its execution. Harding, (2011) also believes that the actions and inactions of these actors are influenced by development control conditions and limitations. It is therefore important to understand who these actors are. Some of the actors include land owners, developers, Planners, Public sector and government agencies, building contractors and architects. The built environment is shaped by these professional actors in the light of their particular way of seeing buildings and cities and of their subsequent goals and actions (Guy and Henneberry, 2000).

2.5.7.1 Land Owners

According to Wilkinson and Reed (2008), land owners may either play an active or passive role in the development process. The role of land owners can therefore not be underestimated in the development process. For instance, land owners may develop the desire to improve the value of their property and therefore actively initiate the development process. They may also become standing blocks to development by refusing to lease up land for development,

especially when the local administration needs such land for important public works. (Wilkinson and Reed, 2008).

Land owners can have a substantial influence on the nature of development. Since every development is supposed to receive planning approval, land owners can aid or hamper the process based on their adherence to or contravention of local plans in their area of jurisdiction (Amponsah, 2011). For example, if a land owner sells a piece of land which is in a non-buildable area for development purposes, the likelihood of such a development receiving planning permission is almost non-existent. In developing countries where many land owners are either chiefs or families (Forkuor, 2010), the situation is even more unpredictable as many may disregard planning restrictions in the disposal of land.

2.5.7.2 Developers

Developers in the development process vary. The developers may be individuals, companies, and agencies. These all have a common interest – development of land, whether for private use or for sale. However, before any such development can take place the developer, must as a matter of regulation, make a development application to the local planning authority for permission. Many developers, especially house builders in developing countries have however tried and do flout important components of the development process. The first thing that goes into the minds of developers after acquiring land is to dig the foundation and get some quantity of sand and gravel in preparation towards commencing development. Acquiring planning permission is not their priority (Yeboah and Obeng-Odoom, 2010). The authors further note that the continued issuance of “Stop notices” may be the clearest indication that developers do not comply with planning regulations.

2.5.7.3 Planners

According to Wilkinson and Reed (2008), the UK planning system has established planners as the professionals to regulate development. There are two categories of Planners; politicians and professionals. The authors further believe that politicians mostly act upon the technical advice of professionals planners in their line of work. In Ghana, every Ministry, Department or Agency has a planning department responsible for making the technical decisions. The Town and County Department, which is the body responsible for the Planning of settlements makes decisions which are implemented by the government. The planners are also responsible for determining whether applications for permission for development proposals should be approved or refused. The professionals are responsible for advising the politicians and administering the system.

Planners perform the function of safeguarding development by adhering to government policies and development plans in the review and approval of development applications.

In areas of low economic activity, planners usually place little restrictions on development proposals especially those that would generate employment. On the other hand, planners in developed regions usually impose higher standards, and even slow down the pace development to ensure that there is a better balance between the design and use of a building. According to Millington (2007), the fact that planners are relevant in determining whether a development will be accepted or prevented is a very important consideration for property development.

2.5.7.4 Public Sector and Government Agencies

Many public sector and government agencies are involved in controlling development. These institutions are either developers in the development process or controllers of development activities. Wilkinson and Reed (2008) have noted that planning authorities are largely concerned with developments for their own uses or community use and the delivery of infrastructure. Local authority participation in the development process will be subject to whether promoting development or controlling development to preserve higher standards is a main concern.

In Ghana, the public agencies with a direct say in the control of development include the Town and Country Planning Department, the Lands Commission, the Works Department under the auspices of the Metropolitan Engineer, the Environmental Protection Agency, and the Survey Department. These institutions make sure that the development of land is done according to government policy and approved development plans.

2.5.7.5 Architects and Building Contractors

According to Wilkinson and Reed (2008), Architects and Building Contractors play very important roles in development control. While architects design the appearance of new buildings or the refurbishment of existing buildings, the building contractors use this design to build. These actors both work to ensure that the desired final product of the developer is achieved. However, the design and construction of building must meet planning specifications and conditions. Anything less than this would lead to difficulties in securing planning permission. Even after the permission has been secured, the actions or inactions of a contractor or builder could still hamper development. A contractor who does not build according to the conditions or limitations imposed on a development permit may be forced to abate, alter or even demolish a structure.

These actors as discussed have valuable roles to play in the control of development. A lapse by any one of them in the performance of duties and responsibilities can go a long way to derail efforts to effectively control development.

2.6 LEGAL AND INSTITUTIONAL FOUNDATION FOR DEVELOPMENT CONTROL IN GHANA

2.6.1 Introduction to the Legislative Framework for Town Planning

Every state institution has a legal and institutional mandate within which it performs its duties and responsibilities. Development control as an enforcement arm of land use planning in Ghana comes under the direct control of the Town and Country Planning Department (the Town and Country Planning Department and The Physical Planning Department have been used interchangeably in this document) and other allied institutions. This mandate came by way of legal enactments. It is impossible to separate development control from the Town and Country Planning because the department was set-up to ensure orderly land uses, the main aim of development control.

The Town and Country Planning came into being as a result of the promulgation of the Town and Country Planning Ordinance in 1945 (CAP 84). This established the foundation for ensuring orderly settlement development in the country. The Cap 84 provided that the Minister shall be the authority for Town and Country Planning. The Minister may delegate any of the functions concerning Town and Country Planning to any other person. The Act also established a Planning Committee which comprised the Medical Officer of Health, the Town Engineer, or in the absence of the Town Engineer, the District Engineer, and not less than two members of the relevant local authority nominated by that authority. The Act further states that a scheme in respect of the whole or part of a planning area shall not have effect until it is approved by the Minister and before giving approval the Minister may make the appropriate modifications. The foregoing discussion reveals that the Cap 84 is no longer in tune with the contemporary planning situation in the Country. Yet, it continues to be used to guide development. It is for this reason that the Land Use Planning Bill should be expedited and passed into law.

The Town and Country Planning Department functioned as a centralised body until 1993 when the Local Government Law (Act 462) designated District Assemblies as planning authorities.

Between 1993 and 2009, the following laws were enacted and they impacted on the structure and functions of the Town and Country Planning Department:

- i. the Local Government Act, 1993 (Act 462);
- ii. The National Development Planning Commission Act, 1994 (Act 479);
- iii. The National Development Planning (Systems) Act, 1994 (Act 480);
- iv. National Building Regulation, 1996 (LI 1630);
- v. The Local Government Service Act, 2003, Act 656; and
- vi. Local Government (Departments of District Assemblies) (Commencement) Instrument, 2009 (LI 1961).

The above laws changed the structure of the department into the following;

- i. Head Office – A Department under the MEST-MLGRD-MEST
- ii. The Regional Offices –Part of RPCU of the RCCs and
- iii. District Offices –Physical Planning Department of MMDAs.

The whole country was thus declared a planning area and development plans were prepared and approved by the Metropolitan, Municipal and District Assemblies (MMDAs). These laws and enactments gave the Town and Country Planning Department various legal mandates as shall be seen shortly. For instances, the Act 462 stipulate that no development should take place and unless permitted by the Planning Authority. However, the LI 1630 provides an escape route for developers by stipulating that if a developer applies for a development permit but does not receive a response from the planning Authority within three months; such a developer can begin construction with the assumption that the application has been accepted. These loopholes hamper effective development control in the country.

These Acts provide fragmented and sometimes contradictory provisions for town planning in the country.

2.6.2 Legal Mandate of Town and Country Planning Department from the Acts

The legislative frameworks discussed in 2.6.1 give to the Town and Country Planning Department and the Building Inspectorate Unit the mandate to ensure orderly development. The following sections will therefore clearly examine these stipulations.

2.6.2.1 Local Government Act, 1993 (Act 462)

The Local Government Act, 1993 (Act 462) ushered in decentralization in Ghana and therefore decentralize planning functions to the local levels. The Act:

- i. Designated MMDAs as planning authority (section 46) and empowered them to prepare District development Plans according to National Development Planning Commission (NDPC) planning guidelines (section 47);
- ii. Required all physical developments to have permit and provided for enforcement against unauthorized development;
- iii. Provided for development charges for infrastructure development as well as appeals and claims for compensation;
- iv. Provided for District departments, including the physical planning department at the MMDA levels; and
- v. Section 63 provided for building regulations by a Legislative Instrument to be prescribed by the Minister responsible Works and Housing.

The local government also prescribed that when a person contravenes the directives of the District Planning Authority, such a person commits an offence and liable for conviction. On conviction, the person should be fined Ghs20.00 (C200, 000.00). This amount however is very small and shows that the Act needs to be reviewed.

2.6.2.2 National Development Planning Commission Act, 1994 (Act 479)

The National Development Planning Commission Act was enacted to provide guidance for development policy and strategies for national development. It sought to:

- i. Formulate broad/comprehensive national development plans and strategies;
- ii. Make proposals for coordination of natural and physical environment;
- iii. Monitor, evaluate and coordinate development policies, programs and projects; and
- iv. Preparation of development planning guidelines and harmonization of plans.

The Commission as established by this Act is only a policy formulation and advisory body. By the stipulations of the Act, the Commission does not have the jurisdiction to implement its plans. It is therefore at the mercy of politicians who determine what should be implemented for the development of the country. Successive governments have therefore neglected the spatial planning aspect of the commissions' mandate. This has resulted in the spatial development issues that the country faces today.

2.6.2.3 National Building Regulations, 1996 (L.I. 1630)

Building regulations exist to ensure that building works satisfy minimum constructional standards and ensure the health and safety of people occupying the structures. The Ghana National Building Regulations, 1996 (LI 1630) were promulgated to set rules and standards

that must be followed to satisfy the minimum acceptable levels of safety for buildings and non-building structures (Ametepey et al., 2015). The Regulations prescribed:

- i. The guiding legislation for building permitting;
- ii. The manner for securing permits for development – section 49 (2) of Act 462: (Form B-Regulation 7(1) and complemented with the Cap 84 for Planning Permitting (i.e. TCP Forms 1 & 2); and
- iii. The manner for making building bye-laws– section 62 of Act 462.

The building regulations need to be revised to address conflicting provisions with the Act 462 on the issue of permitting. It also needs to be revised to reflect changes in the construction and housing industry in the country.

2.6.3 Specific Provisions for Development Control in Ghana

The overall planning and management of settlements in Ghana is based on various acts and provisions that have been passed by the government to provide a background from which authorities execute their mandate. Some of the detailed legal provisions are as follows:

- a. Act 462, section 49 (1), no Physical Development shall be carried out in a district without prior approval in the form of written permit granted by the District Planning Authorities.
- b. Act 462, section 49 (4) stipulates that “in determining an application for a permit to develop prior to the adoption of an approved district development plan, the District Planning Authority shall consult such public agencies and local communities as may be prescribed by regulations.
- c. An allocation of land shall be null and void if the purpose or use for which the allocation is made is contrary to the provision of the approved development plan.
- d. Act 462 section 6(12), any person who allocates, transfers, sells, or develops land for a use or purpose that is contrary to an approved plan, settlement structure, action plan or programme commits an offence.
- e. Act 462 section 64(1), every person shall before constructing a building or other structure or undertaking any work, obtain a permit from the District Planning Authority which shall contain such conditions as the District Planning Authority may consider necessary.
- f. Act 462 section 52, where;
 - o Physical development has been or is being carried out without a permit contrary to this Act; or

- Conditions incorporated in a permit are not complied with, a District Planning Authority may give written notice in such form as may be prescribed by regulation to the owner of the land requiring him on or before a date specified in the notice to show cause in writing addressed to the District Planning Authority why the unauthorised development should not be prohibited, altered, abated, removed or demolished.
- g. Act 462 section 55, a District Planning Authority may without prior notice, effect or carry out instant prohibition, abatement, alteration, removal or demolition of any unauthorised development carried out or being carried out that encroaches or will encroach upon a community right of space, or interfere with the use of such space.

2.7 PROBLEMS OF DEVELOPMENT CONTROL

The literature review has revealed certain challenges that militate against effective development control. In this section, a cursory mention of them shall be made.

Aluko (2011) identifies that the problems of development control are:

- Encroachment on public rights of way and open spaces;
- In urban areas the building setbacks have been taken over by front shops and a variety of unsightly development;
- Conversion of residential property to commercial premises, banks, places of worship, schools etc;
- Construction of buildings in violation of building approvals; and
- Corruption by enforcement officers.

Nuhu and Yohanna (2013) also identified other major factors inhibiting effective and efficient development control as:

- Interference by personalities;
- Lack of cooperation by the Land Owners;
- Inadequate funding;
- Inadequate equipment and machinery;
- Scarcity of man power; and
- Abuse of official power.

Ogundele et al., 2011) have also studied development control and conclude that development control (notwithstanding the advantageous effects on the physical environment) face many problems. These problems include:

- Land use maps are not up-to-date and therefore do not echo the trend of development and instruments used for development control purposes. Again, the procedures for development control are not operational because they do not ensure or provide easy access to the police and/or other law enforcement agents when the need arises for a quick response against unauthorized development.
- The departments responsible for development control are ill-resourced as compared to other public developments. Therefore the development control system lacks adequate funding unlike the other sectors of the economy. The system therefore suffers obvious setbacks.
- The public is also not enlightened on physical development matters. They are therefore illiterate on physical planning programmes. This results in the development of unauthorized structures to satisfy the parochial interest of developers without taking into consideration the negative impacts of such actions.
- Inappropriate or insufficient monitoring of developments to ensure compliance with planning regulations, especially in cases where development permits have been granted for such developments.
- Furthermore, residential structures are illegally converted into other uses especially mixed uses (mostly residential and commercial; residential-institutional).
- An additional factor is the bribery and corruption, which has bedeviled the processing and approval of applications for planning permission.

Yeboah and Obeng-Odoom (2010) also concede that several challenges inhibit planning efficiency. Five of these are particularly pervasive, namely: inflexible land tenure systems; a weak legislative framework; undue political interference in the planning process; weak human resource capacity; and inadequate funding. These issues are inextricably linked and are mutually reinforcing. Furthermore, the challenges are national in character and are more pronounced in urban areas owing to population pressures.

These studies have shed light on what problems are hampering effective control of development in urban areas. As can be seen, the same problems are common in all the localities studied, suggesting their near universality. What however makes these problems persist is a matter that this study seeks to uncover.

2.8 GAPS TO FILL

This study has highlighted many issues on development control in both developed and developing countries. These issues have provided a very good background for the study. Several authors such as Adarkwa and Post (2000), Mensah (2005), Pogbekuu (2007), Yeboah and Obeng-Odoom (2010), Ahmed and Dinye (2011), Dordaa (2012), Adarkwa (2012), Adzi-Tay (2012), and Cobbinah and Amoako (2012) among others have contributed to the issue of Land use planning in Ghana. Somiah (2014), in particular researched on house-owners' awareness on the National Building Regulations, LI 1630.

There is however a gap in the literature on the issue of development controls in Sekondi-Takoradi. Comprehensive studies have not been conducted on development control processes and dynamics in Sekondi-Takoradi. This study therefore seeks to add up to the growing literature on development control in Ghana, and especially provide a comprehensive assessment on the subject in Sekondi-Takoradi.

2.9 CONCEPTUAL FRAMEWORK

The literature review has identified some of the important issues that make development control effective. As explained in the review, development control is under the broader subject area of environmental planning, whose basic aim is to ensure health and safety of inhabitants in a human settlement.

As stated by the NITP Ogun State Chapter (2011), development control is a process through which physical development permits or building plan approvals for development are granted via the submissions, assessment, registration and processing of building plan applications. It is a statutory measure to ensure an orderly, conducive and healthy environment is created for living, working and recreation, among other legitimate activities in human settlements. For development control to be possible there must be approved and up to date development plans, enforcement and sanctions. Development control hinges on development regulations. According to Philip (2007), master plans, zoning plans, detailed development plans, Planning Standards, usage of buildings, Floor Area Ratio, set-backs, open spaces, building height, number of stories and parking requirements; for various categories of developments on land and buildings are what comprise development regulations.

In view of the background, the design framework for this study is centred on the process from the preparation and publication of developments plans, especially local plans (the official development control documents), giving precise information concerning uses allocated to

particular sites and planning density standards among others). The framework also includes the permit application and approval process, whereby development proposals are vetted by the District Planning Authority to ensure compliance with development plans and building regulations. This process is the beginning of the implementation of the regulations contained in the development plans and other government policies controlling land use planning. The framework also includes actions geared towards monitoring and enforcement of developments plans and, conditions and limitations attached to permits. The main enforcement tools are enforcement notice and stop notice.

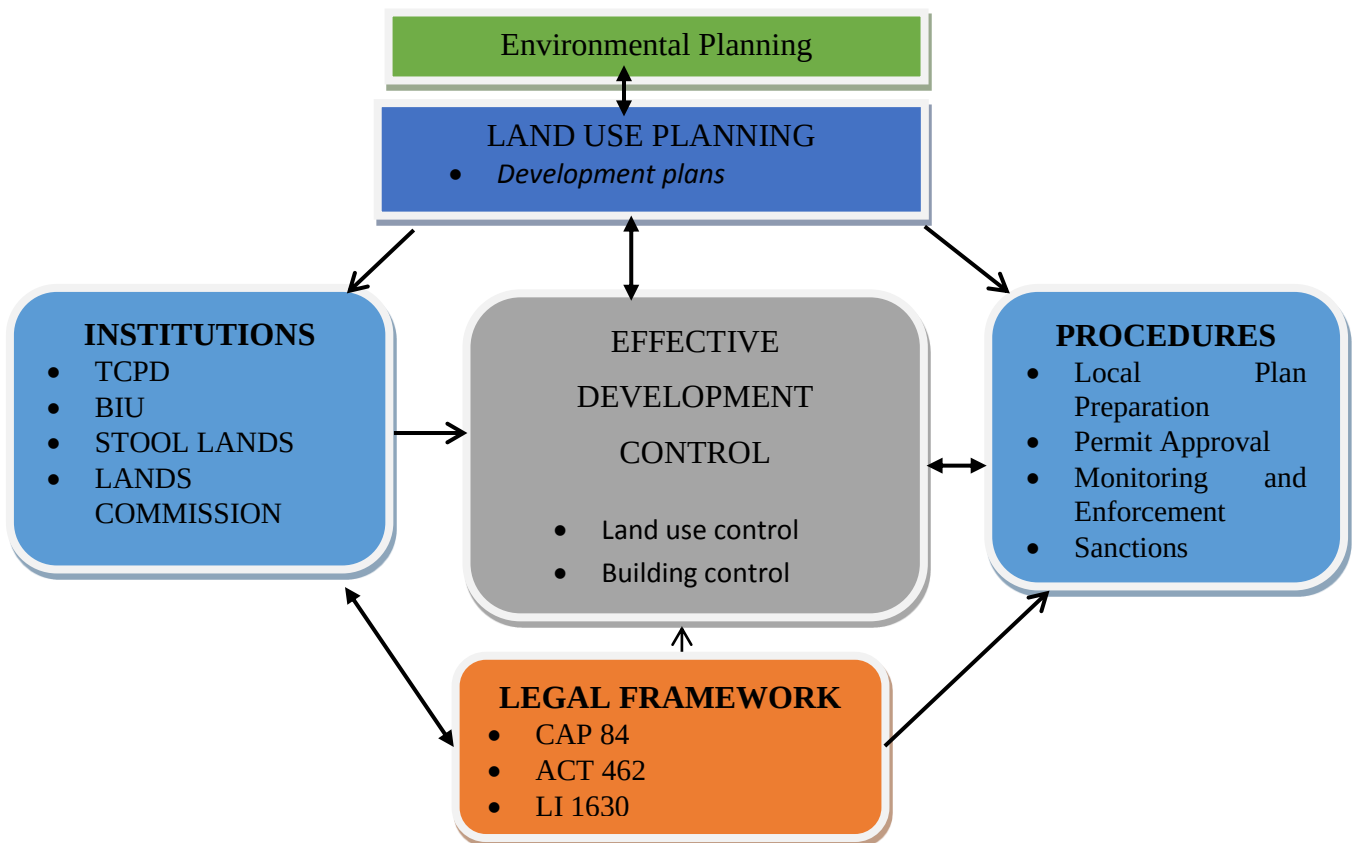
The actors whose actions or inactions can either promote or hamper development control are also at the center of this framework. These actors include developers, Planners, Government Agencies and other Public Institutions, Building Contractors and Architects.

When all actors, processes, and institutions and individuals work effectively; development of land and/or buildings would be effectively controlled to bring about order and healthy living, among other purposes of development control.

Figure 2.1 depicts the conceptual framework adopted for this study. As already explained, land use planning and development control are under the umbrella of environmental planning, therefore at the summit of the framework is environmental planning followed by land use planning and development control.

Development control is executed by institutions including the Town and Country Planning Department, the Building Inspectorate Unit, Lands Commission and Stool Lands, which apply certain approved procedures to ensure that development is effectively and efficiently controlled. The institutions and the procedures employed are however within of the remit of legal provisions which provide the authority for the development control function. The conceptual framework diagram depicts this. Therefore the legal provisions and the development control institutions are mutually reinforcing as shown by the arrow pointing in both directions. Also, the legal frameworks specify what actions are needed to ensure effective development. In the diagram, the arrow pointing to the procedures for development as well as the arrow pointing to effective development control depicts the importance of the legal frameworks. Figure 2.1 shows the conceptual framework for this study.

Figure 2.1: Conceptual framework for the study



Source: Author's construct, 2014

The conceptual framework presented an abstract of the issues that would be explored in the data collection. It therefore has an effect on the type of research design and approach used. It also affects the research instruments used to obtain the needed data. Therefore, the next chapter shall present the methodology of this study. Before the methodology is presented, the profile of the study area shall be elaborated on.

CHAPTER THREE

PROFILE OF STUDY AREA AND RESEARCH METHODOLOGY

3.1 INTRODUCTION

The previous chapter reviewed relevant literature relating to development control. These provided a clear roadmap on how the research project should proceed. In summary, the issues included spatial planning, development, development control systems in Ghana, and institutions responsible for development control. The conceptual framework then summarized the issues discussed to a workable framework.

This chapter looks at the profile of the study area. The profile provides background information on the study area. The chapter also looks at the processes/steps that allow for the realization of the research objectives. The chapter therefore examines the research design, sampling and sample size determination, and data sources and how the collected data are analyzed.

3.2 PROFILE OF SEKONDI-TAKORADI

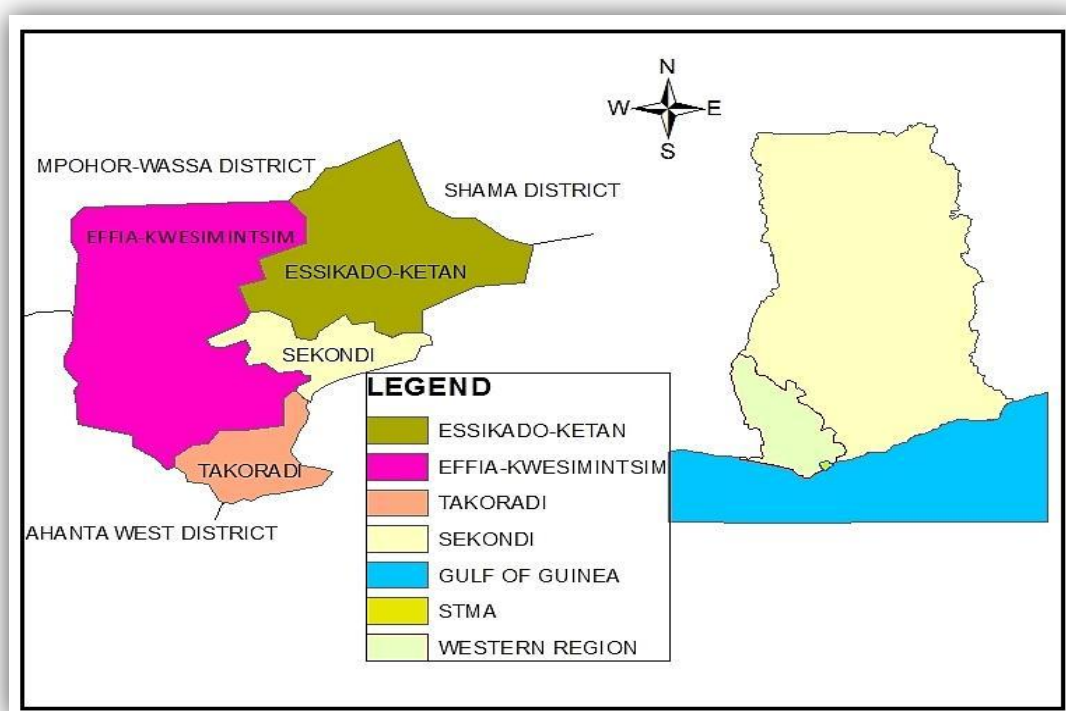
3.2.1 Introduction

The City of Sekondi-Takoradi is the capital of Sekondi-Takoradi Metropolitan Assembly (STMA) and the body responsible for its day-to-day administration. The Assembly is mandated by the Local Government Act, 1993 Act 462, (Sections 12, 13, 14 and 15), to carry-out legislative, deliberative and executive functions through its 16 Departments and Units (L.I. 1961). The Metropolis is surrounded by Mpohor-Wassa East to the North, to the South by the Gulf of Guinea, to the West by Ahanta West District and to the East by Shama District (see Figure 3.1). It has a total land area of 49.78 km², and Sekondi is the administrative headquarters. The metropolis is located along the Coast, about 280 km west of Accra and 130 km east of the Ghana-La Cote d'Ivoire border. It is thus advantageously located in view of its proximity to the sea and the airports and accessibility to major cities by rail and road. (CHF International Ghana, 2012).

Sekondi-Takoradi city is now informally called the Oil City of Ghana because of the discovery and production of enormous oil resources (about 800 million barrels of oil, 36.5° API sweet crude and gas reserves of 1,040BCF-1.2TCF) off the coast of the western region (Sunu-Attah, 2009). The Sekondi-Takoradi Metropolitan Assembly exercises its mandate of approving applications for physical development. As the statutory authority that controls and promotes growth and physical development, the Assembly issues development permits to

prospective developers in the metropolis (CHF International Ghana, 2012). Figure 3.1 shows the study area in national and regional context.

Figure 3.1: Sekondi-Takoradi in the national and regional context



Source: Author's Construct, 2015

3.2.2 Demographic Characteristics

The Sekondi-Takoradi metropolis had a projected population of 444,752 in 2013 (STMA, 2009) with a growth rate of 3.2%. The metropolis has five sub-metros, including Effia, Kwesimintsim, Essikadu-Ketan, Sekondi and Takoradi. Table 3.1 shows the distribution of the population as at 2013. Effia and Kwesimintsim have recently been separated into two sub-metros.

Table 3.1: Population of Sekondi-Takoradi Metropolis

SUB-METRO	MALE	%	FEMALE	%	TOTAL
EFFIA-KWESIMINTSIM	88,479	40.6	90,503	39.9	178,982
ESSIKADU-KETAN	38,137	17.5	39,921	17.6	78,058
SEKONDI	40,971	18.8	43,096	19.0	144,066
TAKORADI	50,341	23.1	53,304	23.5	103,645
TOTAL	217,928	100	226,824	100	444,752

Source: Adapted from STMA MTDP (2010-2013)

The above population is projected to increase to 473,671 by 2015. In terms of age-sex distribution, 44.8%, 51.9% and 3.3% of the population fall within the age cohorts 0-14, 15-64 and 65+, respectively; while the sex ratio is approximately 49% males and 51% females. This population distribution has implications for development. The capability to decide and strategize on the size of families gives women and men the boost to better face the challenges in a gradually uncertain environment and the ability to adequately provide a better future for children (Madsen, et al., 2012). The active age groups of 15-64 are mostly the group who marry, work and develop housing. Their actions are therefore important in the drive to control development in the built environment. The metropolis has a population density of 8,934 persons per km².

3.2.3 Spatial Analysis and Housing

The Metropolis currently has forty-four settlements and close to 13 of these settlements have a population exceeding 7,000. The major settlements are Takoradi, Effia-Kwesimintsim, Effiakuma, Anaji, Kojokrom, Tanokrom and Sekondi.

About 69% of the population were urban with 31% rural in the year 2000. However there has been tremendous increase in the urbanisation from 69% to 72.9% and rural decrease from 31% to 27.1% as at 2010 due to natural increase and immigration. Sekondi and Takoradi have most of the socio-economic facilities while the peri-urban areas have sparingly distributed facilities (STMA, 2010).

Housing, as an important determinant of standard of living which enhances the life of occupants is an important issue in Sekondi-Takoradi. Indeed, basic utility services such as electricity, water and sanitation services are delivered within the context of housing. Houses in the Metro are mostly constructed and owned by individuals and families as well as Estate Developers, such as Regimanuel Gray, State Housing Company and SSNIT. In recent times however these houses have been sold out to individuals. Even so, over 90 % of housing stock in the Metropolis are constructed and owed by individuals and families. The total number of houses is 37,063 out of the projected population of 444, 752 in 2013.

Due to the economic viability of the Sekondi-Takoradi city, it receives a lot of migrants in search of jobs. This leads to increase in population without a corresponding increase in housing stock. This situation has put available housing under intense pressure, with about 40% of the population living in unacceptable housing conditions (STMA, 2009).

According to STMA (2010), there is excess demand of housing over the supply, which leads to rising prices of housing over the years. Most households are now forced to leave in single room and others in wooden structures with most of them unauthorised.

3.2.4 Governance

The Metropolitan Assembly has Five Sub Metropolitan Councils. These Sub-Metropolitan set-ups ensure that infrastructural services are effectively distributed at the sub-district level. Administrative offices, accountants, revenue officers, building inspectors, and environmental health officers are present in three of the sub-metros namely, Essikadu-Ketan, Sekondi and Takoradi.

The Sub-Metros, Area Councils and Unit Committees have not been fully equipped to safeguard efficiency in public policy management and participation, decentralisation, transparency, accountancy, public expenditure and asset management. Currently the Effia and Kwesimintsim Sub Metros have no offices and personnel and all the town councils have not yet been formed.

3.2.5 Human Settlement Development

Physical development in the City is governed by Sector Layouts prepared by the Town and Country Planning Department (TCPD) of STMA and together with the Metro Works Department have the day-to-day responsibility of managing the plans and the Sector Layouts. However, the authority and duty for managing and controlling physical development activities rests with the Metro Statutory Planning Committee of the Assembly.

The STMA (2010), reports that about 6% of the farm lands in the metropolis have been transformed into residential plots between 2008 and 2014 increasing the share of residential land while negatively affecting food security. Quite a substantial portion of the land is also low-lying and this resulted in massive land reclamation mostly for residential and industrial purposes. Land reclamation increases the supply of land in the long run and provides opportunities for construction.

3.3 RESEARCH DESIGN AND METHODOLOGY

This section describes the design and methodology of the research as carried out. In fact, the research design is the conceptual structure within which research is carried out; it establishes the outline for the collection, measurement and analysis of data (Kothari, 2004). It therefore looks at the techniques used in determining, obtaining and analyzing both secondary and primary data. It gives an insight into the type of research that was used in this study (Forkuor, 2010). The research design for this study is case study.

3.3.1 Type of Research Approach

The research adopted a combination of qualitative and quantitative research approach. The qualitative approach places emphasis on useful insights and generalizations out of the data collected. Quantitative approach on the other hand uses deductive reasoning in findings and analysis (Neuman, 2000:122). The research approach also includes some elements of a case study because the research problem is a contemporary topic in its real-life situation and also because it is an intensive study of one geographical area. It helps the researcher to find the “how” and “why” of a phenomenon (Yin, 2003).

3.4 SAMPLING DESIGN AND SAMPLE SIZE DETERMINATION

The purpose of this study is to provide an insight into development control in urban centres of Ghana. As illustrated in the conceptual framework, the institutions responsible for development control have been interviewed to obtain information on the measures being implemented to ensure effective development control, the collaboration among the institutions responsible for various components of development control, and their capacity to ensure effective development control.

The following institutions were interviewed: the Town and Country Planning Department, the Lands Commission, the Building Inspectorate Unit and the Stool lands. The Town and Country Planning Department was selected because of its role as the main institution mandated to ensure development control. All development control measures and regulations have to start from the department. The department with the collaboration of other institutions like the survey department and the Lands Commission prepare development plans and approved development/building permits. Also, the Building Inspectorate Division of the Works Department was interviewed because; they are responsible for monitoring and enforcement of development/building projects. This is to ensure that development projects conform to approved development plans and conditions attached to permits, and also to ensure that all developments are approved. The chiefs in the study area were also interviewed for information regarding their management of stool lands and how they collaborate with the Town and Country Planning Department to ensure effective development control in their areas of authority.

In a nutshell, the Town and Country Planning Department, the Building Inspectorate Unit, the Lands Commission (Public and vested lands unit), the Metropolitan Planning and Coordinating Unit and the Stool Lands were the institutions interviewed.

Landlords in the study area were also interviewed to collect information regarding their compliance with development control measures. This is to ensure that developers comply with development control regulations or find them necessary for ensuring orderly spatial development.

3.4.1 Sample Size and Sampling

The population for 2013 in Sekondi-Takoradi Metropolis was 444,752 (STMA, 2009) with a growth rate of 3.2% (CHF International Ghana, 2012). There are also approximately 12 persons per house (STMA, 2009). This implies that on the average, there were 37,063 houses in the city as at the end of 2013. Assuming that every landlord owns one house, there are 37,063 landlords in Sekondi-Takoradi.

The Sekondi and Takoradi Sub-Metros were selected purposively because they are centre of activity in the metropolis. Interviews were conducted in 5 communities which were randomly selected. The communities in the two sub-metros were listed and random balloting done to arrive at the needed five. There are 15 major communities in both Sekondi and Takoradi Sub-metros. A preliminary study was conducted and the results revealed that similar characteristics existed across the Sub-metros. It was therefore decided that five communities would provide adequate data for generalisations on the entire Metropolis. The five communities had a combined projected 2013 population of 10, 891 houses. Using a confidence level of 95% and margin of error of 5%, the mathematical sample calculation formula was used to calculate the sample size. The sample size was 400. Each community was allocated an equal number of interviews, 80 each, in order to give each community a uniform number of responses. These communities are Takoradi (Windy Ridge, and Chapel Hill), and Sekondi (Fijai, Adiembra and Keikuma). The houses in which the interviews were conducted were chosen based on convenience sampling while purposive sampling was used to select landlords for interview. Due to the fact that the study required information of houses, that is, information on building permits and titles; only the Landlords and Caretakers could provide such information. Therefore the study purposively targeted the Landlords and Caretakers. Convenience sampling method was also used to collect information from the Landlords and Caretakers. Therefore, interviewers only entered houses which were within reach.

3.5 DATA SOURCES AND COLLECTION

Data are an important requirement in every research project. Without good data, the research is bound to fail to answer its questions. The results of a research work are therefore as good

as the data sources and methods with which such data were collected. This section therefore illustrates the sources of data used for analyses and how these data were acquired.

There are basically two types of data sources, which the research employed. These are primary and secondary data.

3.5.1 Primary Data

Primary sources of data can be considered as being of two types. The first consists of original works based on a person's thoughts while the other consists of data gathered at first hand and usually organized and presented by the person(s) who gathered it (Daniel and Sam, 2011). Field observation, questionnaire administration and other direct or personal interviews with respondents are usually the methods by which primary data are obtained. Field observation method, interview method and questionnaires were the methods used to collect the primary data for this study.

The observation method was used by the researcher to record some of the physical features of interest in the study area which could not be captured in the interviews and questionnaire administration. Some of these features include unauthorized developments, extensions, developments in unsuitable locations and others of like nature.

An interview schedule (refer to appendix two, three and four) was also prepared in order to obtain information from the institutions. Some of the institutions to which this type of technique was used include the Town and Country Planning Department, the Lands Commission, Metropolitan Planning and Coordinating Unit, Stools and the Building Inspectorate Division (Works Department). These departments were purposively selected because they have a major role to play in development control. Finally, the questionnaires (refer to appendix one) were administered to the Landlords and Caretakers in the study area. In all, 400 landlords were interviewed using both open-ended and close-ended questions. The Table 3.2 shows the research variables and sources of data.

In the Table 3.2, the objectives of the study are presented in the column one while the categories of the data needed are seen in column two. The sources of the data in column two are found in column three while the sampling methods for obtaining these data are presented in column four. In column two particularly, data from the first row were institutional data. These data answered the question on processes through which developments are controlled in Sekondi-Takoradi. Thus, the land use plans of the study area were analysed using ArcGIS 10.2. The maps were digitized and the coverage of the various land use categories measured using the 'measure' tool in the ArcGIS. These figures were then presented in a table. The

permit processes also concerns the various stages permit applications go through from vetting to the final decision. Staff and logistics are also important requirements for successful planning. Since adequate staff and logistics are needed to ensure that development plans and regulations are implemented.

In the second row is data required to establish the level of public patronage and participation in development control processes. In this vein, Landlords were questioned on various issues concerning application for permits and participation in plan preparation activities.

Finally, the data were obtained from the various land related institutions in the study area. These included data on their participation in plan preparation, collaboration with the TCPD in the enforcement of development plans and regulations, and staff and logistical strength to enable them perform their responsibilities effectively. Below is the Table 3.2.

Table 3.2: Research variables and data sources.

Questions	Data required	Data sources	Types of instrument	Sampling
How does the TCPD control Development?	Local plans Permit processes Records of development permit applications Enforcement process Staff and logistics	TCPD BIU	Interview guides Observation	Purposive
What is the level of public participation and patronage of the development control process	Permit applications Public involvement in plan preparation Compliance to development plans	Landlords TCPD Stools	Interview guide Questionnaires	Purposive Simple random
What support does state agencies give the provide the TCPD in development control	Logistics Staff Funds	MPCU TCPD BIU Lands Commission Stools	Interview guide	Purposive

Source: Author's Construct, 2014

3.5.2 Secondary Data

These are data which are already in existence and have already been collected. Data collected by other persons other than researcher are also secondary data (Aggarwal and Khurana,

2009). Secondary data are obtained from several sources. Secondary data are easy to obtain and quite easy to work with because they have already been collected and sometimes already analysed. Secondary data may either be published data or unpublished data.

In general, Kothari (2004) lists the following as sources of published data: (a) publications; (b) journals; (c) books, magazines and newspapers; (d) reports (e) public records and statistics, historical documents and other published information. Diaries, letters, biographies and autobiographies may all be sources of unpublished data.

The secondary data for the study were specifically obtained from books, journals, publications, internet (worldwide web) sources, theses, government documents including Acts of Parliament, medium term developments plans, planning schemes, and reports. Before the secondary data were used, their reliability, suitability and adequacy were ascertained.

3.6 DATA PROCESSING AND ANALYSIS

The data were processed and analysed after collection to fulfil the purpose of the research. The processing of the data involved editing, coding, classification, and tabulation (Kothari, 2004).

The editing of the data involved the examination of the collected data to detect errors and correct them. The interview guides and questionnaires were therefore thoroughly inspected and the necessary errors and gaps rectified. Editing was carried out to ensure that the data were accurate, consistent with other data gathered, consistently entered, as complete as much as possible and have been well organized to enhance coding and tabulation.

Coding of the data involved the assignment of numerals to the responses in a limited category of the data. Thus most of the responses to the close-ended questions were given codes to enable easy entry and analyses using data analyses software (SPSS v20).

The data that were classified included data that had common characteristics such as age, amounts and numbers. While tabulation involved organizing such data into tables.

These data were then analysed by summarizing, describing, interpreting and reconciling them with qualitative attributes. The quantitative data were analysed and the results presented in tables. The results of these analyses are presented in chapter four, the next chapter.

CHAPTER FOUR

DATA ANALYSIS AND DISCUSSION

4.1 INTRODUCTION

This chapter covers the analysis and discussion of the data that answer the research questions and objectives presented in the chapter one. In this analysis, development control shall consist of both the making of development plans and the practice of controlling physical development by local planning authorities through development plans and granting or refusing of planning permission.

4.1.1 Land Use Change in Sekondi-Takoradi Metropolis

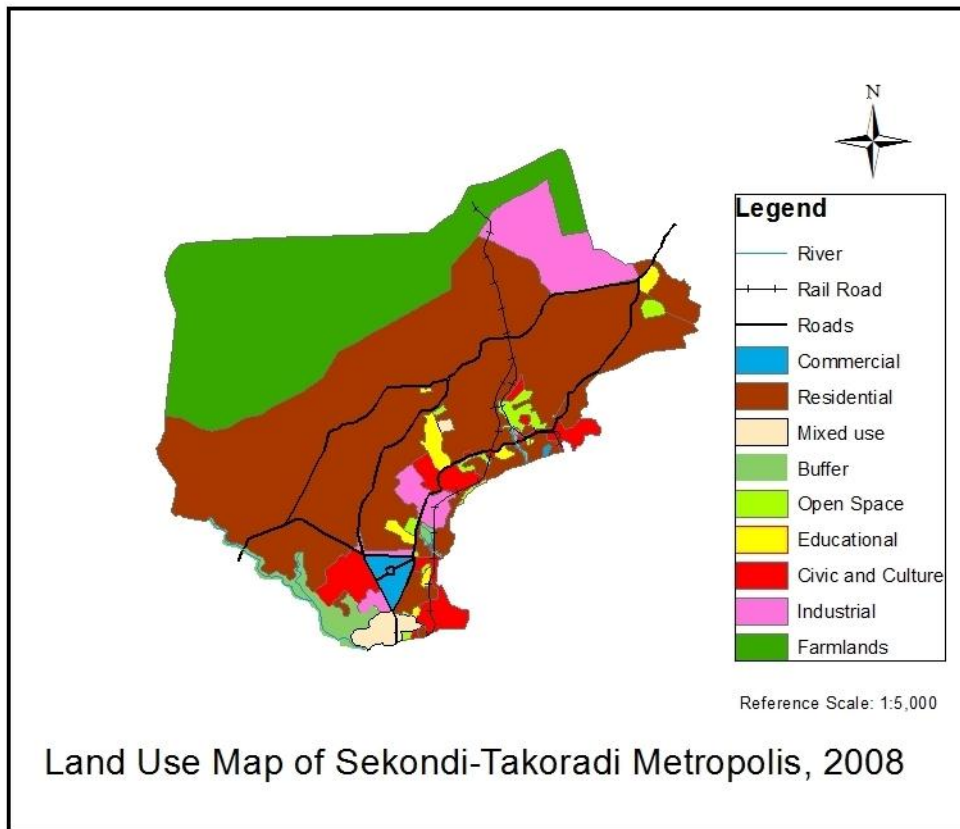
Respondents from the Town and Country Planning Department attest that the Metropolis has been experiencing rapid urban expansion over the years and more particularly over the last 4 years due to the discovery of oil in commercial quantities off the coast of Western Region. The continuous influx of migrants has increased demands for coastal lands and services in the metropolis which has altered the spatial organisation of the metropolis. This assertion is corroborated by Stemn and Agyapong (2014) who noted that in Sekondi-Takoradi the annual rate of change in urban/built-up land was 4.88% between 1991 and 2008.

Analysis of the land use change in the metropolis revealed that while the built-up land comprised 69.91% of the total land mass in 2008, it has increased to 75.88% in 2014. This means that within six years, there has been a 5.97% change in the built-up area of the metropolis. A careful study of the land use maps of 2008 and 2014 shows that there has been a spatial expansion in the metropolis. The undeveloped land, designated as Farm land in the maps, has particularly decreased by 6% during the last six years. This is due to the outward expansion of the settlements as new residential units are built to accommodate the increasing population in the metropolis.

In terms of population increase, available statistics show that the metropolis has experienced a drastic change between 2000 and 2010. While the urban to rural population ratio was 69/31 in 2000, it changed to a ratio of 96/4 from 2010 (STMA, 2014). This rapid urbanisation has been partly due to the oil induced migration and partly due to natural population increase. These changes have resulted in new physical developments as can be seen in the change in land use coverage in the metropolis. The Figures 4.1 and 4.2 show the land use map of

Sekondi-Takoradi metropolis in 2008 and 2014 respectively. These maps depict pictorially the land use changes that have occurred in the metropolis.

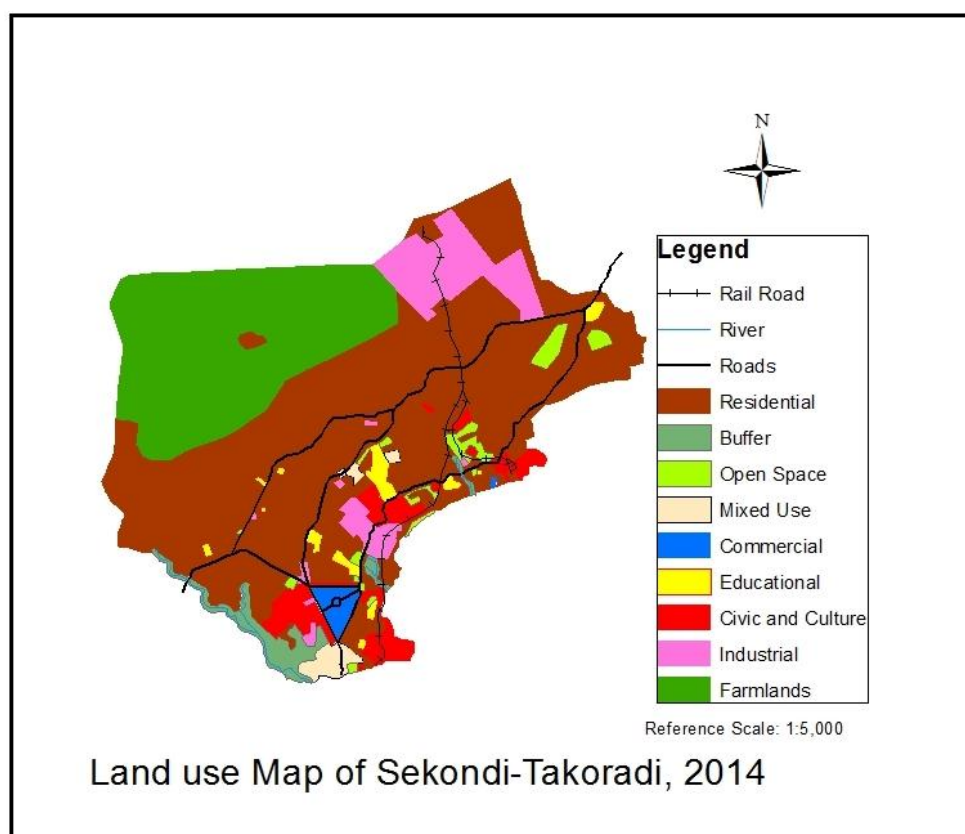
Figure 4.1: Land use map of Sekondi-Takoradi Metropolis, 2008



Source: Author's Construct, January 2015

Figure 4.1 depicts the structure of Sekondi-Takoradi in 2008. The structure shows that residential land use covered 52% of the total land of the metropolis. It also shows that the Farm land made up 30% of the total land area. Together, these two land uses comprised 80% of the total land mass of the metropolis in 2008. This is significant as Figure 4.2 pictorially show that the much of the Farm lands have been lost to residential expansion in the metropolis. Analyses of the land use intake in 2014 reveals that the residential land mass now cover 55% of the total land area of the metropolis while the Farm lands cover 24.1% of the land area. There has however been a reduction of the total share of these two land uses to the total land area as they make up 79.1% of the land area as compared to 82% in 2008. These statistics have also been presented in Table 4.1. Therefore while Figure 4.2 shows the land use map of Sekondi-Takoradi in 2014, Table 4.1 shows the coverage of the various land uses and the associated change between 2008 and 2014.

Figure 4.2: Land use map of Sekondi-Takoradi Metropolis, 2014



Source: Author's construct, January 2015

Table 4.1: Land use inventory of Sekondi-Takoradi metropolis

LAND USE	2008 (HECTARES)	2014 (HECTARES)	CHANGE (HECTARES)
Residential	79.13 (52%)	83.78 (55%)	4.65
Commercial	1.64 (1.1%)	1.67 (1.1%)	0.03
Educational	2.27 (1.4%)	2.32 (1.5%)	0.05
Industrial	8.16 (5.4%)	11.24 (7.4%)	3.08
Mixed use	1.62 (1.1%)	1.88 (1.2%)	0.26
Civic and Culture	6.94 (4.6%)	7.58 (5.1%)	0.64
Farm Land	45.81(30%)	36.72 (24.1%)	-9.09
Open Space	3.03 (2%)	3.41 (2.2%)	0.38
Buffer	3.66 (2.4%)	3.66 (2.4%)	0
TOTAL	152.26	152.26	

Source: Author's construct, January 2015

Since it has already been established in the foregoing discussion that there has been physical expansion in the metropolis, it is important to understand how this change has been managed. Physical change in the metropolis has taken place through new developments, redevelopments and change of uses of particular parcels of land. These happenings would be haphazard if not well managed. The metropolis has a physical planning department which has been mandated by law to control development and ensure order and harmony in the physical space of the metropolis. The succeeding discussions therefore show how physical developments are controlled in line with government policy and sustainable land use principles in the metropolis.

4.2 THE PRACTICE OF DEVELOPMENT CONTROL

4.2.1 Development Control in Sekondi-Takoradi

Basically, physical development planning involves guiding and directing physical development into desired locations, form, direction and nature. This process is in two stages. The first stage involves the declaration of an area as a planning area. It is good to note that the whole of Ghana has been declared a planning area (Local Government Act, Act 462). Base maps are then prepared by the Survey Department for use by the Planning Department to prepare planning schemes or layouts. The second stage involves the publication of the planning schemes. These schemes are then plotted on the ground and the land is subdivided into lots by the Chiefs. This sets the bases for permit applications and, the vetting and assessment of such according to laid down regulations and the planning scheme. Development control is the responsibility of the state as stipulated by the Constitution of Ghana, article 36 clause 9. As mentioned in chapter two, the Town and Country Planning Department in Ghana has the legal mandate to ensure orderly and sustainable human settlement development. To get an insight into their work, interviews were conducted at the Sekondi-Takoradi Physical Planning Department.

Before an understanding of the process for controlling developments can be appreciated, it is important to know the duties of the Town and Country Planning Department.

4.2.2 Duties of Town and Country Planning Department

The Department of Planning in its drive to ensure orderly and sustainable physical development performs the following duties:

1. Preparation of land use plans to direct and guide growth;
2. Assessment of zoning status of lands and proposal for rezoning where necessary;

3. Coordinate the diverse physical development promoted by departments, government agencies and private developers; and
4. Administration of land use management procedures in settlement planning and channelling of day-to-day physical development in efficient forms and sound environment of places of residence, work, and recreation among others.

It is important that every institution is assessed based on its mandate to identify its gains and shortfalls in the performance of duties and responsibilities. Based on the listed duties, the study undertook an assessment of landlords' perception of the performance of the Town and Country Planning Department. Table 4.2 shows the responses from the Landlords/Caretakers. NB: a respondent could only choose one answer.

Table 4.2: Performance rating of STMA's Planning Department.

Duties	Frequencies		Total Frequency	Rank
	Takoradi	Sekondi		
Preparation Land Use Plans	50	57	107	1 st
Permit Approval	39	60	99	2 nd
Coordination of Physical Development	28	56	84	3 rd
Monitoring of Physical Development	28	54	82	4 th
Physical Planning Research	15	13	28	5 th
Total	160	240	400	

Source: Author's Field Survey, June 2014

From this assessment, it is clear that the citizens of Sekondi-Takoradi hold the opinion that the Planning Department is performing well in its duty of preparing Land Use Plans. This is important since effective development control would not be possible without land use plans. The landlords are however not enthused about the research activities of the institution. It is claimed that the officials of the Planning Department are hardly seen in the communities. This also explains why the department is rated as poor in the monitoring of physical development. Based on this assessment, suggestions were made on how the department can be effective in the discharge of its duties. Table 4.3 depicts these suggestions.

Table 4.3: Suggestions on how STMA Physical Planning Department can effectively Discharge duties

Suggestions	Frequency		Total	
	Takoradi	Sekondi		Percentage (%)
More Public Education	36	38	74	18.5
Employ more Staff	44	16	60	15.0
Conduct more inspections	36	62	98	24.5
Conduct more research	31	48	79	19.8
Punish offenders	8	28	36	9.0
Timely approval of permits	5	48	53	13.2
TOTAL	160	240	400	100

Source: Author's Field Survey, June 2014

As shown in the Table 4.3, 24.5% of the landlords in the study area believe that conducting more inspections in the communities can help to make the Town and Country Planning Department more effective in controlling development. This is because field inspections will enable the department to ascertain the level of compliance with development plans and regulations. It will also enable the department to proffer sanctions on non-conforming developers to deter other potential offenders from constructing structures contrary to regulations.

Again, the 19.8% of landlords consider research as important in promoting effectiveness and efficiency in the discharge of duties by the Town and Country Planning. Research enables institutions to acquire up-to-date data that facilitate informed decision-making in the planning and implementation programmes and projects.

Public education has also appeared as an area of concern for 18.5 % of the landlords, who believe that it is expedient to feed the public with valuable information on preparation and implementation of plans. When this is done, it will help the public to participate in decision-making processes while also making plan implementation easier. It is interesting to note that only 15% of landlords consider more staff as necessary for effectiveness and efficiency in the work of the Town and Country Planning. This finding shows that the Landlords are unaware

that adequate staff would enable the TCPD process permit applications on time and also conduct field inspections. For this reason Yeboah and Obeng-Odoom (2010) note that the ratio of Planners to the population in Ghana 1:90,000 as compared to 1:2,300 in the UK.

4.2.3 Preparation of Land Use Plans

According to the STMA Physical Planning Department (2013), Land Use plans are prepared to guide physical development. Various types of plans are prepared to guide development based on the planning area in concern. The department has three units to enable it to successfully prepare and implement Land Use Plans. These are the Development Planning Unit, the Research Unit and the Development Control/Management Unit.

4.2.3.1 Development Planning Unit

The task of the Unit is the preparation of planning schemes and their updating including maintenance. Activities of the Unit include the drafting, scaling, tracing and colouring of planning schemes as well as retracing of planning schemes, plotting of approved plans and preparation of site advisory plans. The Unit also vets Schemes prepared by Settlement Planning Consultants and organises juries to ensure the requisite standards are met before presentation to the Statutory Planning Committee for consideration and local approval. The process of ensuring Ministerial Affirmation for these schemes is also a major task the Unit undertakes. The annual report for 2013 stated that the unit prepared the following schemes:

- Ntamakrom Planning Scheme;
- Deabenekrom Extension Layout;
- Revision of North-West Ntankoful Layout;
- Kansaworado Artisans' Planning Scheme; and
- Acquisition of Alternative Access to Kokompe Light Industrial Area-Takoradi.

Additionally, the following planning schemes were reviewed in response to various developmental issues:

- Hwindo Extension Planning Scheme;
- Deabenekrom Extension Planning Scheme; and
- North Kansaworado-South Mampong Planning Scheme.

These schemes are very cardinal to development control as they set the background for allowing or disallowing developments.

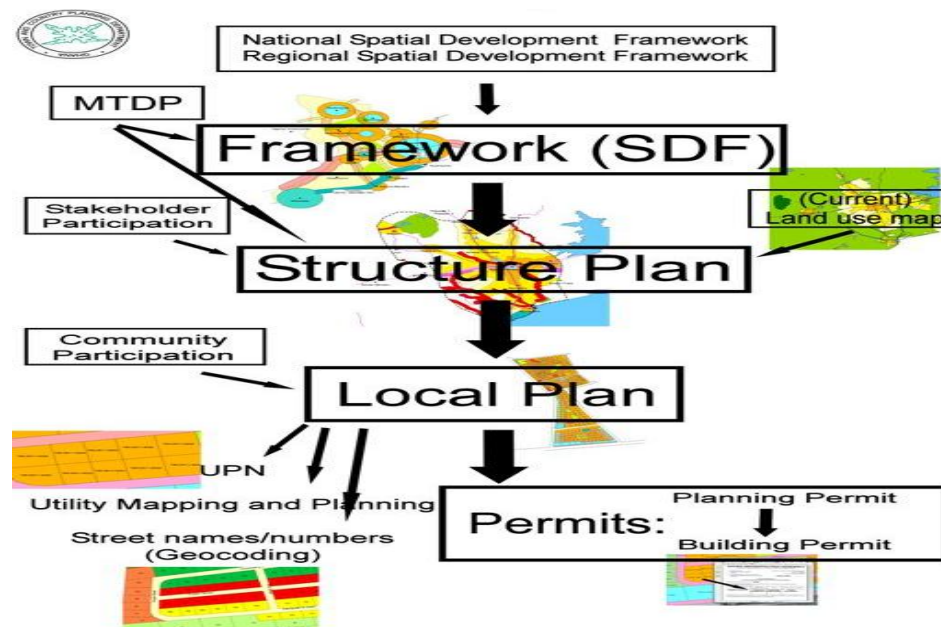
4.2.3.2 Development Planning/Management Unit

Development management forms an essential part of the STMA Planning Department's responsibilities. It is at this point that proposed physical developments are guided to conform to development proposals which have been approved by the Assembly. Activities undertaken include the conduct of site inspections in response to development applications, preliminary vetting of development Applications at the Technical Planning Committee meetings and processing of development applications for consideration by the Statutory Planning Committee among others.

4.2.3.3 Types of Plans

The Survey discovered that the STMA Physical Planning Department has bought-into the new three tier planning system proposed by the Land Use Planning and management Project (LUPMP). When fully implemented, three levels of physical development plans would be prepared to guide spatial development in Ghana. These include the Spatial Development Frameworks (National, Regional and District), the Structure Plan and the Local Plan. Figure 4.3 depicts the new three tier Land Use Planning structure.

Figure 4.3: Three Tier Land Use Planning Structure.



Source: Town and Country Planning Department, 2011.

According to TCPD (2011a), the Spatial Development Framework (SDF) provides a strategic vision (desired future) for the spatial development of the Nation, Region or District over a 20 year period. It outlines and recommends proposals for what kinds of development should take

place, how much of it should occur, where this should happen in order to take advantage of opportunities. This framework ensures that there exist linkages between the Local Plans prepared at the neighbourhood level to the Structure Plans and finally the Spatial Development Framework at the District, Regional and National Levels. The Spatial Development Frameworks are to provide spatial expression to the provisions of the Medium Term Development Framework, as can be seen in the Figure 4.3. The Figure also shows that there must be Stakeholder consultation in the preparation of Structure Plans, which must take into consideration the current land use plan of the settlement in question. It also depicts that community participation is an important component of the Local Plan preparation. Stakeholder consultation and community participation are important to the development plan process because it allows key individuals and groups to make meaningful contributions that will shape the plan. When prepared, the Local Plans aid in Utility Mapping and Planning, Street Naming and Property Address Systems, and Permit Processes. This Planning Framework is therefore comprehensive and encompasses the important considerations in Spatial Planning in Ghana.

In line with this framework, the STMA Physical Planning Department prepares the following types of Land Use Plans to guide physical development in the city and beyond:

1. Local plans (planning schemes);
2. Spatial development framework (e.g. prepared western regional SDF, and Sekondi-Takoradi Metropolitan SDF);
3. Structure plan; and
4. Special plans (gas pipeline, kings city, Essupong stadium area).

4.2.3.4 Initiation of Plans

According to the Physical Planning Department of STMA, various activities are carried out in order to commence the process of plan preparation. These activities include:

1. Acquisition of base maps of the area from the survey department or family or stool;
2. Periodic inspection/designing of plans;
3. Technical community meetings;
4. Recommendations to statutory planning committee for approval; and
5. Registration of layouts at Lands Commission.

Physical Development plans play a very important role in coordinating and controlling physical development. This is because the development plan document specifies the projects, programmes and policies that will be implemented within a certain time-frame to promote

harmonious growth. It provides a one-stop shop for all physical development related interventions in a settlement. This makes it easier for development regulators to easily monitor developments to ensure compliance with regulations and plans. Therefore, both permanent and temporary developments require permits. During the plan preparation, developers can commence physical development while planning schemes are being prepared for the area. In cases where those developments later do not conform to the uses in the prepared plan, rezoning is done at the structure plan level. Rezoning is necessary during the implementation of plans because structure plans are normally prepared for a long period of time (usually 10 years) and conditions such as a change in function or activity on the land, the forces of the market or improving standards for a variety of land users in the settlement within such period (TCPD, 2011b). The TCPD also posits that change of use is done when a new use in a segment of a locality is incompatible with the use of the particular lot but falls within the acceptable uses in the land use zone. Change of use is also done to reflect changed circumstances such as a change in the function or activity on a particular lot of land. This affects both the developer and the Planning Department. On the part of the developer, rezoning processes have to be initiated which involves commitments in the form of time and money. The department is also affected in the sense that time would have to be spent vetting the new application and compelling it to fit into the new plan.

4.2.3.5 Approval of Plans

Under Local Government Act, Act 462, the MMDAs are the local planning authorities responsible for the approval of plans affecting cities and towns in the assembly. All Local Plans are approved by the local planning authority and must be in conformity with the existing Structure Plan. The plans are prepared and approved by the District Spatial Planning Committee, acting in consultation with the Technical Sub-Committee. However, affected parties and individuals can appeal to the decisions of the plan.

The approval of plans makes them binding on all stakeholders in the city and enables the managers of the city to provide resources for its implementation. The plan becomes a legal document stipulating how, where, when development should take place and what type of development is allowed. It would also help garner the political will for its implementation since lack of political will has always been the bane of plan implementation in the country. It is usually said that Ghana has the most beautifully crafted plans in the world. But lack of political will has always stalled implementation. This agrees with Tamakloe (2010), who notes that the main challenge of compliance and enforcement of Environmental regulations is

the political will to see the environment as a priority area. The Table 4.4 shows the bodies responsible for approving development plans in Ghana, and thus Sekondi-Takoradi.

Table 4.4: Approval Process for Plans

Type of Plan	Prepared by	Approved by	Appeal bodies	Signatories
District Spatial Development Framework	District Spatial Planning Committee (DSPC)	Assembly on advice of DSPC	Regional Spatial Planning Committee(RSPC)	District Chief Executive (DCE)
Structure Plans	District Spatial Planning Committee (DSPC)	Assembly on advice of DSPC	RSPC or the Courts of Law	DCE
Rezoning Plans	District Spatial Planning Committee (DSPC)	District Spatial Planning Committee, acting on the advice of the Technical Sub-Committee	RSPC or the Courts of Law	DCE
Local Plans	District Spatial Planning Committee (DSPC)	District Spatial Planning Committee, acting on the advice of the Technical Sub-Committee	RSPC or the Courts of Law	DCE

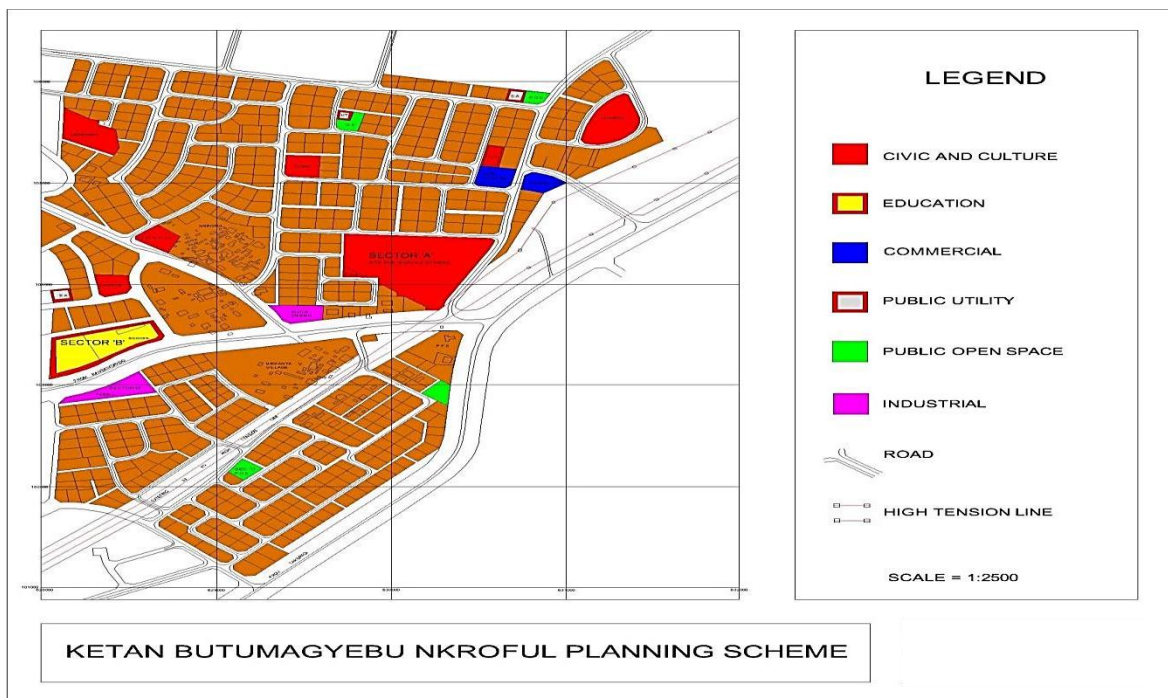
Source: STMA Physical Planning Department, 2014

Table 4.4 shows the processes which a development plan in Ghana is supposed to pass through to be approved. It shows that a District Spatial Development Framework can only be prepared by the District Spatial Planning Committee led by the Town and Country Planning Department. This is because this committee has the expertise and personnel suited for the preparation of this development plan. Once prepared, the whole assembly (Metropolitan, Municipal or District) approves this development plan. The approval is done after the District Spatial Planning Committee has made presentations to the assembly to explain the plan in detail. In cases where individuals or groups have problems with the plans, the process gives them the opportunity to appeal to the Regional Spatial Planning Committee so that such issues can be resolved. When all issues arises from the development plan are resolved, the

District Chief Executive of the assembly then signs the development to pave the way for implementation. Just like the Spatial Development Framework, other development plans as shown in the table are taken through this process to make it ready for implementation.

The Physical Planning Department of STMA has produced and sought approval for a Structure Plan for the metropolis and various Local Plans for segments of the metropolis. Figure 4.2 depicts the current Structure Plan of the metropolis showing the broad land use areas. The plan shows the broad land uses such as educational areas, residential land, and commercial land among others in Sekondi-Takoradi. The Structure plan shows broad land uses which are later detailed in the Local Plan. Figure 4.4 also shows the approved local plan for a portion of the Ketan-Butumagyebu-Nkroful areas of Sekondi-Takoradi.

Figure 4.4: Local Plan of Ketan-Butumagyebu-Nkroful in Sekondi-Takoradi



Source: STMA Physical Planning Department, June 2014

As can be seen in Figure 4.2 and 4.4, the structure plan and local plan differ in the amount of detail shown. While the structure presents an outline of land uses on the wider settlement level, the local plan depicts micro details at the sector or neighbourhood level. This promotes development control as it identifies which uses are permissible in certain areas and which uses are not permitted. It is also based on the land use prescriptions of the local plan that permit applications are vetted to ensure compliance and orderly physical development.

4.3 PERMIT FOR PHYSICAL DEVELOPMENT.

4.3.1 Introduction

The Study revealed that any person or organisation who wants to put up a building, transform an existing building or demolish an existing structure requires a permit. This is in agreement with the stipulation of the National Building Regulations, 1996 (L.I 1630), Act 462, and Cap 84; which state that any person who intends to whether:

- Erect any building; or
- Make any structural alteration to any building; or
- Execute any works or install any fittings in connection with any building, requires a permit.

In these regulations, one clearly notes that there are two main types of physical developments to which individuals and/or organisations are required to obtain permits for. These types of permits are known as development and/or building permit, and extension permit. There is also occupancy permit which the local planning authorities have largely not insisted upon. In the next section, the number of applicants to these categories of permits would be presented.

4.3.2 Development and Building Permits

4.3.2.1 Introduction

The issue of development permits as already been mentioned in chapter two and confirmed by the Physical Planning Department of STMA is very paramount to physical development control. The requirement for building permits takes its authority from the Local Government Act, Act 462, the National Building Regulations, LI 1630 and the bye-laws of the metropolitan assembly. Development and/or building permits grant consent to any worthy or prospective developers or persons to construct buildings or related structures in an approved location; within a set time frame and in line with local or national building regulations. The development control mechanism is put into practice by vetting the development applications of developers to ensure that they conform to planning schemes and building regulations within the location of the development. In line with this, 75% of the respondents in the study area confirmed that their structures had developments permit as shown in the Table 4.5. By this result, it means that 25% of buildings in the study area do not have building permits. This is important for development control as the development decisions of applicants are vetted to ensure order and harmony in the locality.

On the basis of Sub-Metropolis, 96.9% and 60.4% Landlords secured permits for their houses in Takoradi and Sekondi respectively. It is important to note that a study conducted by

Somiah (2014) suggests that 38% buildings in STMA had no building permits. These two results show that more work needs to be done to ensure that new structures are permitted by the Planning Authority before construction begins. The situation of no acquisition of permits is further highlighted by the fact that 44% of structures in Ghana cannot be called “houses” (Ghana Statistical Service, 2000, in Yeboah and Obeng-Odoom). This is because housing dwellers are more interested in places to inhabit rather than following the sometimes time consuming process necessary to acquire development permits. When buildings are constructed without permits, the safety of the dwellings for habitation cannot be guaranteed. It also promotes haphazard development and unsightly urban growth.

Table 4.5: Respondents who have Development Permits

Permit Availability	Frequency		Total Frequency	Percentage (%)
	Takoradi	Sekondi		
Yes	155	145	300	75
No	5	95	100	25
Total	160	240	400	100

Source: Author’s Field Survey, June 2014

4.3.2.2 Permit Requirements for New Developments

The process of acquiring a building permit begins with the purchase of a Building Permit Form and TCP Form 1 from the Development Control Unit of the Physical Planning Department of STMA. The applicant then completes these forms and submits them at the Development Control Unit. Apart from these forms, the Planning Department says that the developers who are developing new structures and have never applied for permits are required to meet the following requirements:

- Clearance letter on official search on status of land from Lands Commission/Land Title Registry;
- Five (5) sets of site plans, with two (2) on transparent paper (scale 1:1:250 or 1:2,500);
- Five (5) sets of building fence and block plans (scale not less than 1:20 or 1:40 or metric equivalent 1:1000 & 1:2000);
- Building Permit Application Form Physical Planning Department (PPD) Form 1(one);
- Ensure that the under listed professionals sign the various plans to be attached to the building permit application;
 - Professional Town Planner to sign a Block Plan

- Architectural Licensed draughtsman for Architectural plans
- Civil/Structural Engineer for two-storey & above for structural drawings; and
- Five (5) self-addressed envelopes.

Furthermore, developers of structures for multiple uses and multi-levels are required to provide additional documentations. These include:

- Fire report and appropriate fire engineering drawing duly vetted and approved by Ghana Fire Service;
- Geo-technical (soil investigation report);
- Structure integrity report where vertical extensions are proposed on existing building;
- Traffic assessment report; and
- Hydrological report and appropriate drawings.

Also, developers can apply for the use of a particular piece of property to be changed to suit changed conditions in the use area. To do this, an applicant for change of use must submit:

- Previous permit on existing building;
- Proposed amendments to drawing if relevant; and
- Evidence of neighbourhood consultation and comments for the new use of premises.

In addition, development and building permits are valid for five years. Therefore applicants who are unable to complete developments within permit validity period are required to seek permit for extension of time. Application for extension to existing building permit should comprise;

- Previous permit
- 3 copies of a block and site plan to scale 1/20 or 1/40 showing the position of the building and the works on site.

These requirements provide a basis for ensuring the safety of construction. Doing Business (2012), suggests that good procedures guarantee wellbeing principles that safeguard the public while ensuring that the permitting process is efficient, transparent and affordable for both building authorities and the private professionals who use it. It is important for formulators of development regulations to establish a right balance between promoting safe construction and simplified procedures. If processes are excessively complex or overpriced, builders have a tendency to carry on construction without permits. When there are no clear cut rules, implementing elementary standards is a herculean task.

4.3.2.3 The Processing procedure for Building Permits

The approval process for permits goes through three stages. These stages include the preliminary vetting; consideration by Technical Sub-committee and final consideration by Statutory Planning Committee. The orderly processes involved in granting physical development permits in STMA are as follows:

- The Schedule Officer will inspect the site with the developer to ensure that the site is one shown on the site plan and that site conditions are suitable for the proposed development.
- The Metropolitan Engineer after the inspection of the site carries out preliminary vetting of architectural drawing and processes the application for the consideration of technical committee meeting.
- Technical committee meets to evaluate the application; visits site and makes recommendation to the Statutory Planning Committee (SPC) within one (1) month of receipt of application.
- Statutory Planning Committee considers development applications within fourteen (14) days of technical committee meeting.
- Approved plans are sent to the City Engineer for issuing of building permit within five (5) working days.
- The Applicant has to pay approved building permit fee to the cash office of the assembly and collect the development permit from the City Engineer's office three (3) months after submission of application.

This process when done properly should eliminate all the hassle that developers go through to acquire permits. In many instances however, the duration for the approval of permits defer in practice. The next sub-section demonstrates this point.

4.3.2.4 Duration for Permit Approval

There is a time frame within which all permit applications are worked on. According to the STMA Planning Department it takes three months for a building permit to be approved.

In practice, however, evidence suggests that this timespan defers. Results from Table 4.6 suggest that many developers (64.1%) do not receive approved permits within the stipulated three month duration. It is important to note here that the number of respondents who actually initiated the construction of their dwellings units is 206. This represents 51.5% of the total respondents. This will prevent potential developers from starting the development of structures at the appropriate time as attested to by 50% of the landlords in the study area.

Delays in construction also result in cost overruns for the developer due to inflation and other market forces.

Table 4.6: Duration for approval of permit application

Duration for approval of permit application	Frequency	Percentage (%)
1-3 months	47	22.8
4-6 months	78	37.9
Above 6 months	54	26.2
Can't remember time duration	27	13.1
Total	206	100

Source: Author's Field Survey, June 2014

Table 4.7 draws a comparison among the various years that developers obtained permits for structures and the duration within which such permits were approved. The findings show that it was only until 2010-2013 that 41.3% of the permits were approved within the stipulated three months duration. This goes to support the claim by the Physical Planning Department that since the discovery of oil permits have been approved earlier than usual. The above situation affects developers in diverse ways, as would be seen in Table 4.8. The results below suggest that 50% of respondents attested that developments are affected by delays in permit approval. The reasons that have been adduced to explain the delay of permit approval include: committee members do not adhere to the time schedule for meetings and inadequate resources to conduct timely field inspections for permit approval.

Table 4.7: Relationship between duration and year of permit approval

Year of permit	Length of time for permit approval		
	1-3 months	4-6 months	Above 6 months
1960-1969	3(6.5%)	7(10.9%)	5(7.2%)
1970-1979	4(8.7%)	4(6.3%)	0
1980-1989	3(6.5%)	7(10.9%)	12(17.4%)
1990-1999	10(21.8%)	22(34.4%)	20(29.0%)
2000-2009	7(15.2%)	17(26.6%)	32(46.4%)
2010-2013	19(41.3%)	7(10.9%)	0
Total	46	64	69

Source: Author's Field Survey, June 2014

Table 4.8: Effects of delay in permit Approval on Developers

Effect on development	Frequency	Percentage (%)
No effect	103	50
Delayed work	103	50
Total	206	100

Source: Author's Field Survey, June 2014

Indeed, delays in permit approval delays the construction of buildings and structures. This delay in construction also results in time and cost overruns (Kikwasi, 2012).

4.3.2.5 Conditions Attached to Permits

Permit conditions are a product of zoning regulations. These provide the basis for specifying the height, density and use of building. It also provides for set-backs, building lines and the floor area ratio of structures. Therefore, the Physical Planning Department of STMA attests that some conditions are attached to every permit that is granted to developers. These conditions include:

- For permanent structures, the completion should be within five years of acquisition. Developers are required to seek renewal if the building is not completed in five years; and
- For temporary structures, renewal should be every 6 months.

The department however concedes that the conditions are not adhered to by developers. These conditions in the real sense are not counted conditions. Since building conditions should normally state building areas, setbacks, and floor area ratio among others. Therefore, there is confusion in the minds of the applicants about what constitutes these conditions. This situation leads to the construction of structures which compromise public safety. Worthy of note is the developers' perception of this notion of building conditions. The developers in the study area are ignorant about these conditions as can be seen in Table 4.9.

Table 4.9: Conditions attached to development permits

Conditions attached to development permit	Frequency	Percentage (%)
No conditions attached	143	35.7
I don't Know about any conditions	206	51.5
I can't remember	51	12.8
Total	400	100

Source: Author's Field Survey, June 2014

It is clear from Table 4.9 that approximately 87.2% of the respondents claim ignorance of the conditions that were supposed to be specified during the acquisition of development and building permits. Even if there are conditions, such were not communicated effectively to the applicants. This situation therefore leads to violations of planning regulations. Regulations are put in place to safeguard the health, safety and convenience of citizens while also ensuring harmony of developments in the settlement. This is due to the fact that regulations specify the minimum conditions that are necessary to ensure health and safety, convenience and harmony in the settlement. When developers are not aware of these regulations, the orderly development of the settlement is affected. The implication of this finding is that developers will construct structures contrary to regulations.

4.3.2.6 Permit Applications Granted

During the past 5 years the assembly (STMA) has worked on several permit applications. In order to speed up the processing of these applications, the assembly now holds monthly planning committee meetings to consider them. It is however stipulated by law that these planning committee meetings be conducted every quarter. From Table 4.10, it can be seen that the number of applications received have been fluctuating. A look at the approved applications also shows that the figures have taken a fluctuating trend. An issue of concern here is the number of applications that were refused in 2012 and 2013. According to the department, several reasons resulted in the number of applications which were refused. These reasons are:

- Mistakes with drawing;
- Site inspection not conducted; and
- Incompatibility of the proposed land use with the layout of the area.

Table 4.10: Permit Applications Received, Granted, Pending and Refused, 2009-2013

Year	Received	Granted	Pending	Refused
2009	815	767	48	0
2010	506	495	11	0
2011	789	780	7	2
2012	798	436	3	359
2013	715	548	4	163

Source: Author's Field Survey, June 2014

Table 4.10 also shows that some applications could not be processed in the year of application and were therefore pending approval at the close of the year. Some of the reasons given for this phenomenon are listed below:

- Failure to provide necessary documents on time;
- Litigation over the piece of land;
- Frequency in statutory planning committee meetings; and
- Signing of the permits delays their issuance. For example, the signatories to the permits include Physical Planning Department, the Works Department and the Environmental Health Department. All these departments have to conduct separate site inspections before they can sign the permit.

The situation of pending applications is particularly an issue of concern as National Building Regulations (1996) suggest that *“where a person submits an application for a building permit the District Planning Authority shall.....notify the applicant whether the application is granted or refused. An applicant not informed of the grant or refusal of the application may after the expiry of the 3 months commence development on the basis that the application is acceptable to the District Planning Authority”*.

As also attested to in Table 4.6, 64.1% of applicants did not receive the approved applications within the stipulated three months. This is worrying because many of such applicants can actually commence developments which do not conform to the layouts of the area. It further leads to haphazard development, the very situation development control seeks to prevent.

It must be emphasized that, the control of physical development such as building works is usually practiced through the issuance of a building permit (or planning permission) before the start of any building works. The executive procedure for issuing a building permit typically includes an evaluation of the development application against accepted planning regulations, land-use limitations, sectoral land-use provisions, and other regulations such as building by-laws including detailed regulations for safety and quality of the constructions. The building permit approval process therefore serves as a final check in the planning control system and helps to ensure that all new developments are consistent with accepted planning guidelines and land-use principles and limitations (Enemark and McLaren, 2008).

4.3.2.7 Cost of Building Permits

Building permits are not obtained for free. It involves some monetary commitments on the part of the prospective developer. In addition to the cost of architectural drawings (not part of the building permit fee), the developer has to obtain a building permit form at the Physical

Planning Department of STMA. In STMA, the total financial outlays for a building permit for a one storey dwelling unit is about Ghc600.00 minimum. While the financial outlays for a two storey dwelling unit is a minimum of Ghc800.00. This cost includes processing fees, 0.625% of construction cost, development permit fee and the building permit certificate fee. The fees received for issuance of building permits constitute a major source of funds for the Physical Planning Department. This is especially important since the department has not received its share of the District Assembly common fund for the past three years. The revenue generated would enable the department to go for field inspections necessary for permit approval. It also means that more efforts must be put into the permit processes since they serve as a very important source of revenue for development control.

4.3.3 Occupancy Permit

Occupancy permit provides evidence that a building has been lawfully built and is safe for occupation for the use stated on the development permit. When a developer applies for an occupancy permit, standard inspections are made by building surveyors to confirm if the building(s) comply with regulations and are safe for habitation. Failure to ascertain the health of the building before its occupation puts the lives of the occupants in danger. On the average, it costs Ghc322.00 to obtain a certificate of habitation.

From Table 4.11, it is clear that a great number, which is 69.4%, of developers (who make up 35.9% of respondents) did not acquire occupancy permits before buildings were occupied.

There are various reasons why many of these respondents do not obtain occupancy permits even though the National Building Regulations Schedule 1, Form C clearly requires a certificate of completion for habitation.

Table 4.11: Occupancy Permit Acquisition by developers

How structure was acquired	Occupancy Permit acquisition		TOTAL
	Yes	No	
Built	63(30.6%)	143(69.4%)	206
Bought	0	87	87
Inherited	0	74	74
Caretaker	0	33	33
TOTAL	63	337	400

Source: Author's Field survey, June 2014

Table 4.11 shows the various categories of Landlords in the study area. Among this group of respondents, it is expected that the people who actually built their own structures would apply for occupancy permits before habitation. This has however not been the case here. Table 4.12

provides the reasons why this is so. Ignorance of the importance of building occupancy certificate has made it impossible for 30.6% of builders to obtain them. On the other hand, low participation (as shown in Table 4.16) and inadequate education has resulted in structures being occupied by 69.4% of developers without occupancy certificates.

Table 4.12 Reasons for not obtaining occupancy permit

Reasons for not obtaining occupancy permit	Frequency	Percentage (%)
Not Necessary	44	31
Never heard about it	99	69
Total	143	100

Source: Author's Field Survey, June 2014

Furthermore, it is clear from the results of the Table 4.12 that the developers were not informed of the need to seek certification before habitation during the processing of permit applications. As can be inferred from Table 4.9, 87.2% of the respondents were either not given any conditions or did not know about conditions on upon which the permits were approved. Even if there are conditions, such were not communicated effectively.

Occupancy permits signify that a building inspector is satisfied with a building and has approved it as being suitable for occupation. It is done from a health and safety point of view. Since this is not the case in Sekondi-Takoradi, it means that both the planning department which does not stress that developers should apply for it and the developers who do not see it as important are putting themselves and other occupants of the buildings at risk. There have been many buildings collapsing in the cities of Ghana. Perhaps this is one of the contributing factors. Doing Business (2012) revealed that according to the Nigerian Institute of Building, 144 buildings collapsed in the past 20 years, killing more than 400 people.

4.3.4 Extension Permit

Extension permits are required when developers intend to make alterations or additions to existing structures. As stipulated in the National Building Regulations and the Local Government Act, Act 462, any individual or group who intend to:

- Make any structural alteration to any building; or
- Execute any works or install any fittings in connection with any existing building, requires a permit.

There are hazards associated with extensions. When extension permits are procured, they help the regulators of physical development to ensure that the structure is healthy enough to

contain the extra load it would be carrying. It also assures development regulators such as the Building Inspectorate Unit that the safety of occupants is not being risked. Extensions were carried out in 24.2% of the structures in which interviews were conducted as shown in Table 4.13.

Table 4.13 Extensions of Houses

Extensions	Frequency	Percentage (%)
Yes	97	24.2
No	303	75.8
Total	400	100

Source; Author's Field Survey, June 2014

Plate 4.1 also shows some of the extensions captured in the study area. Extensions are a product of the incremental nature of building development in Ghana. According to the UN-HABITAT (2011), the building process occurs incrementally to suit the savings ability of the prospective owner.

Plate 4.1: Extensions of houses



Source: Author's Field Survey, June 2014

It is instructive to note that 73.2% of the developers who constructed extensions actually sought extension permits while the rest failed to seek extension permits before any extensions. The reasons put forth to excuse this failure are that, it is not necessary. Others believe that it would take too much time to receive these extension permits.

The effect of this situation is that buildings collapse in the process of extension. Over the past few years in Ghana, many buildings mostly multi-storey structures have collapsed due to ongoing extension works on them. The Building Inspectorate Unit attests that a two-storey building under construction collapsed at Antwirifu, near Dormaa-Ahenkro, in Brong Ahafo Region in January, 2014. Another such building, a six-storey hotel under construction at Nii Boi Town in Accra also collapsed in March, 2014. Also a restaurant under construction at Cantonments in Accra collapsed in December, 2014 (Ametepey et al., 2015). Many lives have been lost and properties destroyed because of this neglect. This could have been prevented if inspections were done by building surveyors to ascertain the strength of the buildings and to put all safety measures in place to prevent tragedies.

4.4 MONITORING AND ENFORCEMENT OF PLANNING REGULATIONS

4.4.1 Introduction

Monitoring and enforcement are a very important exercise in the development control process. Without these twin functions, many of the regulations and rules (Act 462 and LI 1630) for regulating development would not be adhered to by the developers. In Ghana, building inspectors from the Works Department have been tasked through the National Building Regulations to perform daily inspection of undertakings of building developers to certify that developments follow the specifications in the drawings presented to the development approval authority. In addition, building inspectors are tasked to make sure that builders do not build structures without prior acquisition of permits from the Assembly. Penal sanctions are laid upon developers who flout building regulations (Quartey, 2011).

4.4.2 Monitoring of Development Activities

According to the Building Inspectorate Unit of the Works Department of STMA, “we are supposed to be on the field. We go for field visits, if we find any site cleared, we start monitoring the area. When we see any structure coming up, we go and ask for the permit and from this time, monitor the area always to ensure that the development is according to the planning scheme”. The above extract explains how monitoring of development activities is conducted at STMA. This seems to suggest that the institution does not follow-up on developers who are granted permits to make sure development goes according to regulations. The department adds that “We are not able to monitor all projects. The reason is that we do not have a car to be able to go for field inspections”. This leaves a lot of room for developers who might even have been granted permits to develop outside the remit of the law, with its attendant consequences. When regulations are not adhered to, they result in haphazard

developments, and conflicting land uses such as hazardous industrial activities in residential areas.

Many of the respondents reported that development activities were monitored by the appropriate agency, as can be seen from Table 4.14. From a total of 206 respondents who should have information on inspections during the construction of their houses, only 167 representing 81% attest that their developments were inspected or monitoring was conducted by the Building Inspectorate Unit during the construction. The various stages of development during which the inspections were done vary from one developer to the other. Basically, inspections were done during the excavation, foundation, lintel and roofing levels. Other respondents reported that developments were inspected at more than one stage during the construction. This is important to ensure that thorough evaluations of the structures have been made and conditions have been complied with. This is also illustrated in Table 4.15.

Table 4.14 Monitoring of development activities

Development monitored	Frequency	Percentage (%)
Yes	167	81%
No	39	19%
Total	206	100

Source: Author's Field Survey, June 2014

Table 4.15: Level at which developments were inspected

Level of inspection	Frequency	Percentage (%)
Excavation	39	23.3
Foundation	10	6
Lintel	15	9
Roofing	5	3.0
More than once	98	58.7
Total	167	100

Source: Author's Field Survey, June 2014

Table 4.15 depicts that 58.7% of developments were inspected more than once during the development process. This ensures that developers develop according to prescriptions in the permit regulations and the local plan for the area.

4.4.3 Enforcement of Development Regulations

Enforcement is required to deal with cases in which development is carried out either without planning permission or in breach of the conditions or limitations attached to a grant of planning permission. It is also required to ensure that developments are carried out according

to the local plan of an area. Enforcement as a tool of ensuring compliance with planning regulations hinges upon monitoring of developments activities.

According to the Building Inspectorate Unit, *“When we visit any site and the developer fails to produce a permit, we issue a stop work notice. When the person fails to comply, he/she is issued an enforcement notice. The stop work notice usually last for a week after which an enforcement notice is issued for a week if the developer fails to adhere to the stop notice. When these notices are ignored, the department proceeds to court to obtain a demolishing warrant. During emergencies however, demolition exercises can be carried out without a court order”*. The fact that “Stop Work” notices continue to be written by Building Inspectors is a very clear indication that people do not acquire permits before development (Yeboah and Obeng-Odoom, 2010) as confirmed in this study.

“A developer who acts upon the notices is made to go through the normal process of obtaining a permit. However, the person is made to pay a fine in addition to the permit fees. But if the on-going development does not conform to the original use to which the site was zoned, the developer is made to apply for change of use. When this is granted, the developer can go ahead to develop the property”. Usually, the construction equipment of offending developers is seized and a penalty is awarded against them. The charge is usually calculated based on the number of rooms in the structure. It was found that construction normally continues after these penalties are paid. While the developers assume that penalty is a payment for the building permit, the inspectors relax their inspections because such offenders have already paid fines. This leaves a lot of room for haphazard developments.

The above narrative reveals that enforcement of planning schemes and permit regulations are secured through the following means:

- Permit approval process;
- Site inspections;
- Stop work and enforcement notices; and
- Demolitions.

Enforcement is important because it enables the development control institutions to ensure compliance with planning schemes and development regulations. Without enforcement, the best development regulations would only remain on paper. Implementation of development schemes cannot be carried out effectively without enforcement.

4.5 PUBLIC PARTICIPATION IN PLANNING

4.5.1 Public Participation

Participation is a very important component of development control as it enables citizens and stakeholders to identify with decisions and regulations that they help to design. While planners write zoning guidelines and draw land use plans, the public must live in the localities for which these plans are drawn and adhere to them.

In line with this, the new planning model (2011a) in Ghana provides for consultation during the process of plan preparation. The model explicitly states that *“a participatory planning system shall be used in the preparation of all levels of plans. The plan preparation process will require periods for key stakeholders to air their views and opinions. Participation as used here shall be a departure from what in the past has been mere consultation and information provision which often came as "fait accompli". In this context it shall mean a process of active involvement that affords actors the opportunity to learn, and hence, own the process and break and transform past habits in order to achieve the desired objectives of the plan. Participation may involve information sharing, consultation and collaboration”*.

It is important for citizens to participate in decisions concerning land use activities because without their participation the process will not be actually legitimate. Citizens who are unable to effect changes to the local environment happen to abandon the official land use control procedures and fail to ensure a sustainable local development. The inadequacy of participation (as shown in Table 4.16) and transparency can also possibly lead to an increase in corruption and prohibited development. As such, it is important that citizens / communities have an unaffected prospect to participate (a dynamic process of dialogue) in the development plan or proposal process which affects them. It is also expedient that officials and politicians pay careful attention to the voice of the citizenry and take on board their views for the betterment of the development plan (Enemark and McLaren, 2008).

The Physical Planning Department of STMA attests to the involvement of the general public in the preparation of physical plans, first during the design stages and when the design is completed. The department claims that data are collected from the public to obtain information on the needs of communities during the preparation of land use plans. Also the major stakeholders, such as traditional authorities, public agencies and development organisations are consulted, providing the stakeholders the opportunity to contribute to the plan. Again, public hearings are conducted to enable the department explain to the public issues concerning the plan and obtain valuable comments for the betterment of the plan.

Finally, the plan is placed in the Public Data Room of the Assembly for further comments. This process when truly executed enables the stakeholders and the public to make meaningful inputs into the plan.

However, the public disagrees with this notion as can be seen in Table 4.16. The respondents to this survey claim that the planning authorities do not actively involve them in the preparation of development plans. According to Long (2001), it is at the plan preparation stage that important decisions are made concerning the overall growth and development of the settlement. Participation at this stage is therefore necessary to enable stakeholders provide information that would contribute greatly to the fulfilment of community aspirations and needs.

Table 4.16: Public Participation in Plan Preparation

Participation	Frequency	Percentage (%)
Yes	162	40.5
No	238	59.5
Total	400	100.0

Source: Author's Field Survey, June 2014

Table 4.16 suggests that the public do not actively participate or are rather not involved in the preparation of plans. In the words of some Developers, participation is problematic as it is claimed that *“we don't even see them in our community”*. These sentiments were further illustrated by the chiefs in the study area, who claim that *“we don't take part (in plan preparation). They (Planning Department) prepare the scheme and we take copies of the scheme to help us in the plotting of the land. If they need our assistance and they invite us, we offer any assistance to them. This time they don't even go to the field, they sit down in the office and use old topographical maps to do everything”*.

When the public are not involved in the decisions that affect them, it erodes trust in the public institutions concerned and hampers the implementation of plans. According to Wong (2006) more people want to make their voices heard and in the plan preparation stage and in fact have the right to do so. People need to participate in plan preparation because planning decisions such as rezoning can lead to increase in land values for some developers while others would lose. Because of the importance of participation, some respondents in the study asserted strongly their displeasure in the opportunities afforded them by claiming that *“the Town and Country Planning Department is useless”*. Other respondents commented *“we don't even think they (Planning Department) exist”*. Participation promotes democracy in

plan preparation and leads to the acceptance of the final plan by all stakeholders. This therefore promotes effective implementation because the stakeholders would work towards the achievement of the plan that they help to prepare.

Participation of citizens in the development control process allows for the acceptance of any decisions and regulations that may arise out of it. This facilitates easy implementation of plans as the people would feel part of it and therefore own it. The current situation whereby the citizens do not participate in planning decisions making would negatively affect development control in the city. According to Sittig (2013), Planning has the ability to shape the nature of a community, as shown in its physical form and structure. The participation of community members in the formulation of goals and objectives for the preparation of development plans for their communities therefore means that they will have control over the nature, form and structure of the community. Participation also results in plans that are supported by the public and hence aids implementation of the plan.

4.5.2 Levels of Participation

To further illustrate the participation of the ordinary citizens of Sekondi-Takoradi in the planning activities of the city administration, respondents to the study were required to state the depth of participation in decision making. The criteria for accessing the level of participation are based on the guidelines of the Town and Country Planning Department. These are stated in the New Planning Model and postulates that “*Participation may involve information sharing, consultation and collaboration*”.

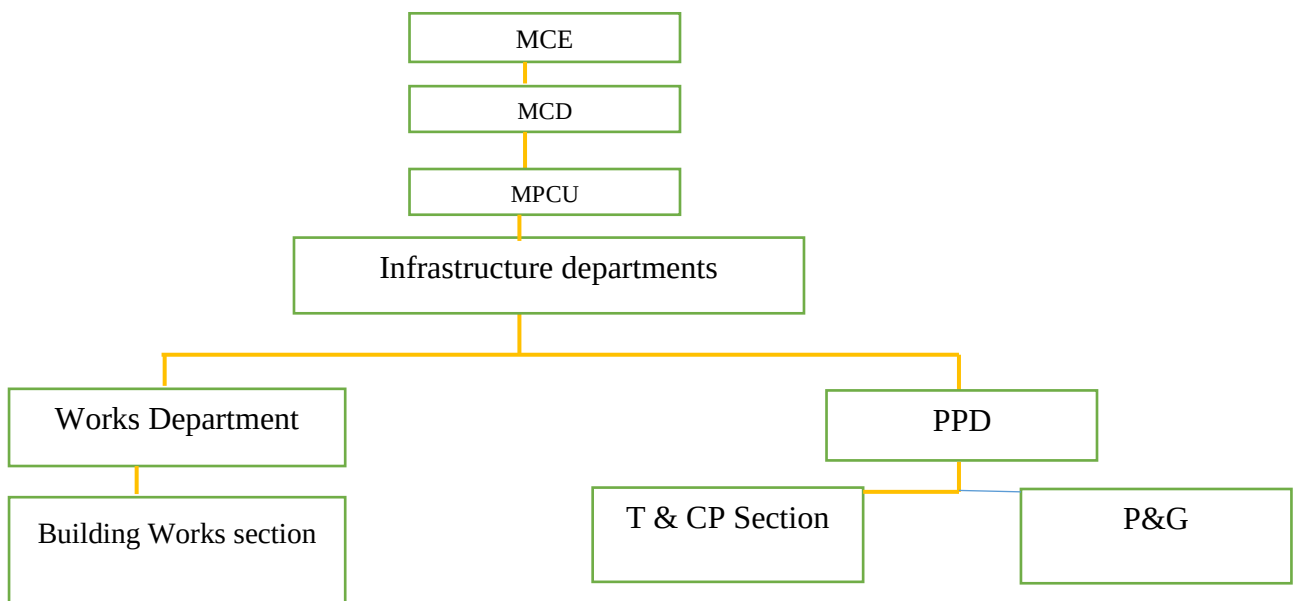
As already revealed by Table 4.15, 40.5% of the public participate during the process of planning for the communities. The analyses reveal that 60.5% of these respondents provide information to the planning authorities, mainly during the data collection stage. Again, 38.7% of the respondents attested to taking part in the data collection and public hearings. While 1.8% participate in public hearing only. This indicates that the public participate on a weaker level as compared to the other stakeholders in plan preparation. A look at Sherry Arstein’s Ladder of Participation (in Sittig, 2013); suggests that this level of participation is at best tokenism. The public do not therefore have a real voice in the land use decisions that are made. Participation is supposed to give the public power in the preparation of development plans. This means that they will have a greater say in the setting of goals and objectives for the development of the settlement. Tokenism however, is only limited to informing, consulting and placation, which does not give the public power in determining the planning standards for their communities.

4.6 INSTITUTIONAL COORDINATION FOR DEVELOPMENT CONTROL

4.6.1 Introduction

As stated in chapter two, development control is a process that involves many actors. From the inception of a development project to its completion, many individuals, groups, agencies or professionals are involved in its execution. It is a collaborative process which cuts across many jurisdictions. It is therefore important to understand the work of these institutions whose actions or inactions can affect the control of physical development either negatively or positively. These actors include the Town and Country Planning Department (which has already been discussed into detail at the beginning of this chapter), the Lands Commission, the Works Department, the Chiefs and Traditional leaders and the Municipal Planning and Coordinating Unit (MPCU). Figure 4.5 is an organogram showing the institutional arrangement for development control in Metropolitan Assemblies in Ghana.

Figure 4.5: Metropolitan Departmental organogram



Source: STMA Physical Planning Department, 2014

MCE	Metropolitan Chief Executive
MCD	Metropolitan Coordinating Department
MPCU	Metropolitan Planning and Coordinating Unit
PPD	Physical Planning Department
T&CP	Town and Country Planning
P&G	Parks and Gardens

4.6.2 The Lands Commission

This Commission was established under the Lands Commission Act, 1994 (Act 483) with the responsibility of advising Government, local authorities and traditional authorities on land policy. The Commission also oversees the disposition of stool lands and must grant its consent to all such dispositions. Lands Commission performs the following duties.

4.6.2.1 Duties of Lands Commission

- General management of state lands
- Keeping of records of all land transactions
- Granting of consent/concurrence of stool land transaction
- Monitoring of developments on public lands to ensure conformity with approved development plans. The department ensures that all developments on public lands conform to developments plans and zoning regulations of the particular area.
- The lands commission also prepares the cadastre plan upon which the legal boundaries and ownership of properties are identified.

4.6.2.2 Plan Preparation

The Lands Commission through its Survey and Mapping Division also facilitates the preparation of physical development plans. This division has the function to;

- Supervise, regulate and control the survey and demarcation of land for the purposes of land use and land registration;
- Take custody of and preserve records and operations relating to the survey of any parcel of land; and
- Coordinate the preparation of plans from the data derived from survey and any amendment of the plans, among other functions.

Without the maps from the division, no land use plan can be prepared by the Physical Planning Department.

4.6.2.3 Participation in Permit approval

The Lands Commission also plays a pivotal role in development control through the functions it performs in the process of acquiring development permit. No permit can be granted to prospective developers for the development of a parcel of land until it has been confirmed through the Lands Commission that the applicant has legal title to the land. The Lands Commission therefore checks and ensures that the applicant has the title to the land before the TCPD grants the permit to the applicant.

In addition, the Lands commission also seeks comments from the TCPD before granting consent or concurrence to any land transaction. These two institutions therefore depend on each other to ensure effective development control in the city. Without effective collaboration, most of the processes of development control, especially permitting, would not be successful. As the roles of the Lands Commission suggest, the body is responsible for keeping records of all land transactions. These records are valuable for determining the true owner(s) of parcels of land before development permits are issued.

4.6.2.4 Process of acquiring State lands

As part of the duty of managing state lands, the Lands Commission ensures that the disposition of state lands is done effectively. In this regard, anyone who has an interest in any public land has to apply to the Lands Commission. Upon receipt of the application, the Commission makes checks to ensure that the plot is vacant. When it is certain that the plot is vacant, the applicant is required to fill a state land acquisition form. The Commission also makes site inspection to ascertain the condition of the site. If the site can be developed into the intended purpose or conforms to the scheme for the area, the application is forwarded to the Lands Commission Board for consideration. If the board grants the land to the person, an offer letter is written to the applicant stating, among other things, the terms of contract, rent, and, number of years of lease. When the person accepts the terms, an acceptance letter is written to the commission. Then an indenture (land title document) is typed in the name of the person and then plotted in lands commission documents.

It is evident from this process of acquiring state lands that the commission ensures that developments by individuals on state lands conforms to accepted planning regulations and planning schemes prepared by the Physical Planning Department. This is due to the fact that detailed land use plans are prepared for state lands before sale to individuals. Through the Survey Department the parcels of land are plotted on the ground to reflect the designations made in the detailed land use plan. Therefore the department also promotes development control through the disposition of state lands. The implication is that non-conforming developments are minimised on public lands. The Lands Commission also has a representative on the statutory planning committee which approves development permits (Forkuor, 2010).

4.6.2.4 Challenges of Lands Commission

Notwithstanding the important role the Lands Commission plays in development control, it is faced with many teething challenges. Some of the challenges revealed by this study include:

- Inadequate Funds to perform functions such as preparation of base maps;
- Deficient record keeping. The department still keeps records of land transactions and titles manually. This make retrieval of information cumbersome and time consuming; and
- The department also lacks adequate staff to effectively fulfil its mandate of administrating and managing land. There are only 14 surveyors instead of 25 in the whole of Western Region

This situation affects development control. This especially worrying as the base maps which needed to enable the Town and Country Planning Department prepare land use plans are lacking.

4.6.3 Building Inspectorate Unit (Works Department)

The Building Inspectorate Unit operates under the regulations of the L.I 1630 that provides regulation for development of buildings in the country. It is under the direction of the Metropolitan Works Engineer.

4.6.3.1 Duties of the Building Inspectorate Unit

The building inspectors of the STMA perform the following functions:

- Issuance of building permit upon approval by SPC;
- Examine plans and specifications of new construction, additions and alterations to residential and commercial buildings to determine compliance with the provisions of applicable building codes, and planning schemes or layouts;
- Issuance of notices to developers for compliance upon violations;
- Demolition of unauthorised structures;
- Making sure approved permits are executed according to regulations;
- Maintaining files and reports of building inspections and permit applications; and
- Final authorization of buildings drawings submitted by applicants.

These functions show the important role the Building Inspectorate Unit plays in development control. Without the monitoring and supervisory role played by the Unit, many developers would violate development regulations jeopardising the safety, health, convenience, harmony and aesthetics of the settlement. Through the monitoring and inspection of on-going

construction in the settlement, the Department ensures that developments conform to plans and regulations.

The Unit has four sub-metro units in STMA. However, only two are truly functional due to inadequate staff and logistics. The head of the unit confessed that most of the equipment needed for effective work, including vehicles, pay loaders/bulldozers are not-available in the Assembly. Even paint which is normally used for the popular “stop work, produce permit” notices are sometimes not available. The unit is therefore not able to effectively monitor all development projects.

4.6.4 Chiefs and Traditional Authorities

The management of land and its sale has implications for Spatial Planning (Yeboah and Obeng-Odoom, 2010). Indeed, it has been established that whoever controls landholding may be said to control the nature of Physical Planning. In most parts of Ghana, land is considered as a resource owned by both the dead, living and the generation yet unborn (Forkuor, 2010). No one has absolute ownership of land but it is rather held in trust for the past, present, and future generations. The lands are owned by families and all these family lands make up the stool land. Chiefs therefore take care of the land for the past, present and future generations. As such the chiefs play an important role in urban planning and physical development control. Yeboah and Obeng-Odoom (2010) assert that some Customary Landowners sell land for purposes other than the approved uses in the Planning Scheme. The Planning Scheme cannot therefore be realised in practice if Landowners do not assent to the Planning Scheme.

4.6.4.1 Role in Plan Preparation

It is the understanding of the Chiefs that “physical development control is the responsibility of the Physical Planning Department of STMA. The Physical Planning Department prepares the layout of the communities. Having received prepared layouts from the Physical Planning Department, we engage the services of a surveyor to demarcate the plots on the land according to the prepared layout. The various demarcations are shown by erecting pillars as shown on the layout and numbered accordingly. It is only after these demarcations have been done by the surveyor that we now go ahead to issue out the land to prospective leasees”.

When queried concerning participation in the preparation of physical development plans, this particular chief said *“we don’t take part. They prepare the scheme and we take copies of the scheme to help us in the plotting of the land. If they need our assistance and they invite us, we offer them any assistance we can give. This time they don’t even go to the field, they sit down in the office and use old topographical sheets to do everything. The relationship between us*

and the Physical Planning Department should be cordial". The chief however believes that the Planning Departments are doing well in development control because "they prepare the schemes and layouts".

4.6.4.2 Land Acquisition Process

The process of acquiring stool lands is also an important consideration in development control. The cooperation of Chiefs is needed to ensure that the lands which are disposed of to developers have been earmarked for development through planning schemes. To ascertain this, the Chiefs state that; *"When you get the layout from Planning Department, then you as a chief would engage a surveyor to demarcate the land according to the layout. The surveyor will indicate all areas by putting pillars on the land. All the plots would be numbered according to the layout. When the surveyor completes his work, you can now give it out to prospective developers.*

We allow the surveyor to do all these before taking the prospective developer to the land. It is the plot the prospective developer expresses interest in that documents are prepared for. If someone comes to inquire of a land, I will not tell the person the price of the land but would call the surveyor to tell him that this man wants a plot for a residential purpose or any other purpose. The surveyor would take the person to the land and show him the areas for residential purposes and show you around. If you express your interest in a certain plot, say plot number one, he will let you come back to know the cost of the land. The next time you are coming to the palace, you bring a bottle of schnapps indicating that you are interested in that particular plot. We will discuss the "drink money" of the land after this stage. I will instruct the surveyor to take your particulars to prepare the document on the land. I make sure that your document on the land is prepared before I take the drinking fee. The surveyor will prepare a site plan for you. Now it is the cadastre site plan that we are using. Cadastre plan is a survey plan that shows the property's legal boundaries, area and dimensions. That should be signed by the Director of Survey Department. Then an indenture (the agreement between the Lessor and the Lessee) is signed by the chief and the elders who are entitled to do so. It is after this that you pay the "drink money". There is a portion in the indenture that the buyer has to also sign. The person then goes to the lands commission to register the land in his name. It is normally the cadastre plan that delays the process of land acquisition. Until the cadastre for the land has been obtained from the Lands Commission, no further work can be advanced on the acquisition of land.

Once someone expresses interest in a plot, it is not given to any other person until the first interested person withdraws his interest". The chiefs are also important in the approval of permit as they assert that "any buyer who is in default of the "drink money" would not be granted a permit by the permitting authorities until he/she has made the full payments of the 'drink money' to the chief".

4.6.5 Municipal Planning and Coordinating Unit (MPCU)

The MPCU was established by Local Government Act 1993 (Act 462) section 46(3). The MPCU is the secretariat of the Metropolitan Planning Authority and advises on the planning, programming, monitoring, evaluation and coordination of development plans, policies, programmes and projects within the metropolis. The MPCU performs the following functions;

- Collection and analysis of data;
- Direction and management of the integrated development planning process and the coordination of policies, programmes and projects;
- Monitoring and evaluation of the implementation of plans. Therefore the Unit assists in the preparation of spatial plans through;
- Data collection and needs assessment;
- Review of previous development plans; and
- Forecasting and population projects.

The unit forms part of the Statutory Planning committee that approves development permits.

4.6.6 Level of Institutional Coordination for Development Control

Development control is a multi-task activity involving the combined activities of many actors and institutions (Ghana National Urban Policy Framework, 2012). The Policy Framework further states that *"the absence or non-performance of existing institutions as well as the lack of coordination among them partly accounts for the under-performance of the Ghanaian urban sector. Thus it is critical to achieve close collaboration and effective coordination of the activities and programmes of various institutions as they relate to urban development"*. Indeed, without effective coordination among the various institutions involved in land use planning, development control would not be effectively executed.

Even though, it has already been established in the preceding discussion that the various institutions mentioned collaborate to ensure effective development control, it is worth adding that the level of coordination varies from one institution to the other. Table 4.17 illustrates the

level of coordination between the Physical Planning Department and the other land related agencies in the preparation and implementation of physical development plans.

Table 4.17: Institutions and their role in development control

Agencies Duties	TCPD	BIU	LC	TAs	Total	Rank
Initiation of Plans	2	0	1	0	3	2 nd
Preparation and approval of plans	2	0	1	1	4	1 st
Processing of Permit applications	2	2	1	-2	3	2 nd
Monitoring of Developments	1	2	-1	-2	0	5 th
Enforcement of Building Regulations	1	1	0	0	2	4 th
Total	8	5	2	-3		
Rank	1 st	2 nd	3 rd	4 th		

Source: Author's Field Survey, June 2014

Scale: Very good (2); Good (1); Fair (0); Poor (-1); Very Poor (-2)

Table 4.17 explains the level of participation of the various institutions directly responsible in the preparation and implementation of plans for orderly development. The horizontal axis ranks the institutions base on the level of participation whilst the vertical axis ranks the various functions. The results show that the preparation and approval of physical development plans is the stage in which the most participation is achieved. This is understandable as the guidelines (New Planning Model-Ghana, 2011) for preparing Land Use Plans suggest three different stages for stakeholder consultation during the preparation and approval of physical development plans. This ensures quality of decisions during the planning process. It also allows for the preparation of plans that are acceptable to stakeholders since the final output is obtained in a participatory manner.

Table 4.17 also shows that the Town and Country Planning (TCPD) is the institution which performs a great proportion of the work necessary for producing physical development plans. This is so because the legal mandate for ensuring orderly and sustainable settlement development is vested in the department.

The data on various institutions involved in the preparation, implementation and enforcement of development plans shows that the roles these institutions play in the control of development and development planning are of paramount importance. To ensure effective

control of development in the Sekondi-Takoradi metropolis efforts must be made to ensure full participation. The land belongs to the chiefs who hold it in trust for the people. It has to be registered with the Lands Commission who also provides the cadastre and maps every parcel of land; the TCPD prepares the land use plan and also works on permits; the Building Inspectorate Unit monitors and enforces the land use plans and schemes; and finally the MPCU coordinates all these functions. When these interrelated duties are performed effectively and efficiently, physical developments sustainably controlled.

4.7 INSTITUTIONAL CAPACITY FOR DEVELOPMENT CONTROL

Institutional capacity is the human, technical and financial resources available to institutions for effective execution of duties. This influences their ability to effectively and efficiently execute their functions (Bhagavan and Virgin, 2004). In this regard, the institutions should have the capacity to perform their responsibilities, and the resources (human, technical and financial) and structures they need to that end. The human resource capacity refers to the right calibre of staff while the technical and financial capacity refers to the technology and funds available to the institutions respectively.

This analysis is an attempt to understand the human, technical, and financial capacity of development control institutions to effectively and efficiently control development in Sekondi-Takoradi. It had already been established at the introductory stages of this study that logistical and staffing problem hamper effective development control in Ghana, this analysis specially examines Town and Country Planning Department (Physical Planning Department) and the Building Inspectorate Unit of the Works Department of the Assembly.

4.7.1 Staffing in the Development control institutions

The staffing capacity of the development control institutions would enable them to adequately and timely initiate and produce physical development plans to control development. It also enables timely processing of development applications. Since the field inspections necessary for evaluating development applications would be conducted on time. Another advantage of adequate staffing capacity is that the monitoring and enforcement of physical development plans and buildings regulations would be done effectively and efficiently.

In Ghana, the ratio of Planners to the Population is quite low as compared to countries like the UK. While the ratio is said to 1:90,000 in Ghana, in the UK it is 1:2,300 (Yeboah and Obeng-Odoom, 2010). The TCPD in 2009 reported that 23% of Professional Planners would retire by 2014 (in Yeboah and Obeng-Odoom, 2010). This situation compounds the already

serious staff situation in the TCP Departments of the various MDAs. The findings from the study revealed that the Physical Planning Department of STMA has only one (1) professional Planner as compared to the required 5 planners the STMA is supposed to have. The department also has eight (8) technical officers, 2 clerical staff and a driver. During the year 2013, the staff (Technical officers and Planners) of the department had the opportunity to undertake 8 training workshops to sharpen their skills in urban planning. Most of these training workshops were made possible because of the Land Administration project.

The Building Inspectorate Unit on the other hand, has 15 staff who are supposed to monitor development projects in the whole metropolis. While the unit is supposed to have offices in the four Sub-metros, only two are operational due to lack of staff. For this reason, the unit is not able to effectively monitor all development projects and ensure that developers comply with development regulations. When construction works are not effectively inspected, it promotes chaotic development and hampers the aesthetics of the settlement. Table 4.18 summarises the staff strength of Town and Country Planning (PPD) and Building Inspectorate Unit (BIU) of STMA. Table 4.18 shows the available and required staff in PPD and BIU.

Table 4.18: Available and Required Staff in PPD and BIU

Institution	Available	Required
Physical Planning Department	Planning Officers (1), Technical Officers (8), Clerical Staff (2), Driver (1)	Planning Officers (5)
Building Inspectorate Unit	Field Inspectors (15)	Field Inspectors (30)

Source: Author's Field Survey, June 2014

4.7.2 Logistical Capacity

Logistics is another important component of institutional capacity. The study revealed that the development control function has been negatively affected by inadequate logistics in the departments, especially the Building Inspectorate Unit.

The logistics necessary for field inspections are generally inadequate in the assembly. The Building Inspectorate Unit still use red paint and brush to communicate notices to offending developers. Vehicles for inspections are lacking, supporting the claims that they have no vehicle for field inspections. Equipment like bulldozers for demolition of unauthorized

structures is lacking. The effect is that the unit is not able to adequately enforce development and building regulations.

The Physical Planning Department was provided with several gadgets and equipment as a result of the Land Administration Project and the Street Naming exercise. Due to the project, the department now has twelve (12) computers, one (1) camera, two (2) printers, one (1) photocopier, one (1) GPS, one (1) Plotter, one (1) Vehicle, Scanner, and ten (10) UPS. The department also has One (1) Server Machine, one (1) A3 Scanner and one (1) A3 Office jet Printer which were provided by CHF for the Street naming exercise. GIS software were also procured and installed for the department. The department however, still requires a video camera to aid them in their field inspections. So, in terms of logistics the Physical Planning Department can be said to be adequately resourced.

4.7.3 Funding for the Planning Department

Funding is an important success factor of every organisation. Without adequate funding, many projects would not be implemented. Interviews at the Planning Department of STMA revealed that funding is a major problem. The Department has not received its share of the District Assembly Common Fund for the past three years. Even though a lot of funds are generated from permit applications, the Department does not have control over the use of such funds. Funds are currently raised from permit application fees, fines and search for zoning status fees. Yet the expenditure patterns of the Department suggest that more funds are needed to ensure effective development control.

4.8 SUMMARY OF PROBLEMS AFFECTING DEVELOPMENT CONTROL IN SEKONDI-TAKORADI

Notwithstanding the importance of controlling development in urban centres, the process is beset with many problems. From the various interviews with departments and individuals, the following problems have been identified:

- Out-dated maps. According to the chiefs, most of the maps used to prepare planning schemes are out-dated. It is claimed that the Planning Department does not visit the field anymore but uses old maps to prepare land use plans. These plans are seen sometimes depict a different situation from that on the ground. The implication is that the prepared development plans will not be effectively implemented because they will be addressing situations which have long changed in the settlement.
- Low Participation. Participation in planning activities in the metropolis is not encouraging as citizens complained that they do not see or hear what the planning

authorities do in their communities. This has made some citizens to pass comments like “*they are useless*,” and “*I don’t even know if they exist*”, among others. Even those who do participate like chiefs are unimpressed about the level of participation, as it is only limited to information giving. It is important for ordinary citizens to participate in planning process. However, certain technical details require technical persons and therefore might exclude them.

- Inadequate staff. Another problem affecting development control in STMA is the general inadequate staff in the departments. The Physical Planning department has only one planner. The Building Inspectorate Unit is supposed to have four sub-metro offices but due to staffing problems, only two are actually active.
- Inadequate logistics. Another serious problem militating against effective development control is the problem of logistics. There is a general insufficiency of logistics ranging from vehicles to paint and brush. For this reason, officials are not able to work effectively.
- Lack of funds and budgetary allocation. According to the MPCU “*for the past three years, the Department of Planning has not received their funding allocation from the assembly*”. The Building and Inspectorate Unit even find it difficult to buy paint for the “stop work” notices because of lack of funds. Funds are needed to ensure the smooth operation of institutions. Lack of funds therefore means that the institutions will not be able to effectively execute projects and programmes for the development of the community.
- Insufficient public education on planning requirements. From the survey there was a general admission from the respondents that they do not have adequate knowledge on the functions of the Planning department. This was evident as some respondents requested that the department should come and pave their roads. Others requested the department to construct storm drains for them.
- Unclear permit regulations and conditions. It was also clear that the conditions attached to permits were not very clear to developers. As such, some developers chose to ignore them. Others claimed that they were not given any conditions to adhere to. This results in buildings which do not comply with regulations and therefore defeat the very purpose of permit processes.

The above problems affected the effective planning and control of physical development in STMA. It is therefore important for innovative solutions to be implemented to curb them.

The analysis has shown that development control is a process that involves two stages. These stages are linked together to ensure that developments conform to planning regulations and requirements that sanction development. It is therefore important to present a summary of this process by way of a conclusion to this chapter. Development control process involves:

- Preparation of land use plans;
- Plotting of land use plans on the ground and subdivision of land into plots;
- Sale of land according to specifications of the land use plan;
- Application for permit by prospective developers;
- Vetting and approval of Building Permit applications by the Planning Authority;
- Field monitoring of developments; and
- Sanctions against offenders.

When this process is done effectively, it results in orderly development in the urban settlement.

The next chapter would recommend ways to resolve the issues identified in the analysis. As part of this, the major findings would also be summarised.

CHAPTER FIVE

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 INTRODUCTION

In this final chapter, the examined research problem is restated and an attempt made to marry the findings with the objectives of the study. Recommendations are also proffered on how to ensure effective and efficient development control in the urban centres of Ghana especially Sekondi-Takoradi.

As stated at the introductory stage of this study, the major issues that necessitated this study were the fact that the planning system and the Town and Country Planning Department have come under intense public criticism for failure to effectively control development in the major cities. Perennial flooding in the major cities of Accra and Kumasi were the issues critics claimed gave credence to the assertion that planning had failed in the country. It was asserted that studies confirm that major cities of Accra and Kumasi were sprawling (Adarkwa, 2012; Cobbinah and Amoako, 2012). It was also argued that planning has been unable to effectively control the growth of human settlements in Ghana. For this reason, the development of cities was said to be chaotic (Yeboah and Obeng-Odoom, 2010). Expansion was said to be effectively occurring in a mostly unorganized and unordered manner. The planning system appeared to be faced with apparent staffing and funding limitations (Adarkwa, 2012).

To verify these claims, this study was designed to acquire an insight into development control in Sekondi-Takoradi.

5.2 FINDINGS

The findings that were made in this study were guided by the three major objectives of the study, namely:

- To gain insight into the processes through which the Town and Country Planning Department effectively controls development;
- To examine the level of public participation and patronage of development control processes;
- To evaluate the roles state entities play to assist the Town and Country Planning Department to effectively control development; and

5.2.1 Process of Controlling Development

5.2.1.1 Preparation of planning schemes

The study established that STMA has seen considerable physical expansion over the last 6 years mostly due to oil induced migration and natural increase. This has resulted in a re-configuration of the entire metropolis. While some land uses have increased in total share of the metropolis' land area, others such as the farmlands have declined. Residential lands have increased from 52% in 2008 to 55% in 2014 while the farmlands have decreased from 30% in 2008 to 24% in 2014. To forestall haphazard development as a result of this physical expansion, the STMA has prepared various land use maps to guide development. The study revealed that the Physical Planning Department of STMA is the primary institution responsible for preparing these land use maps. The development planning unit and development control units of the Physical Planning Department ensure that local plans are prepared and implemented.

The control of development begins with the preparation of land use plans to guide physical development activities in the metropolis. The plans that are prepared include Spatial Development Framework, Structure Plans, Local Plans and Special Plans. The basic plan upon which plot demarcations are made was found to be the Local Plan, also known as the Detailed Layout or Planning Scheme.

These schemes are prepared in consultation with other land institutions and local chiefs. During this process surveys are conducted to acquire the views and opinions of the local people. After all the technical drawing activities have been completed, the stakeholders are invited for contributions and comments. These comments and concerns are fed back into the final scheme. The agreed upon scheme is approved by the appropriate institutions. In case of local plans, it is approved by District Spatial Planning Committee, acting on the advice of the Technical Sub-Committee.

5.2.1.2 Permit Applications

In addition, the study identified that prospective developers are required by law to acquire development permits before the commencement of development. Developers therefore apply for permits through the Physical Planning Departments. The permits are granted after the Statutory Planning Committee is satisfied that the planned development meets all planning requirements. It usually takes three months to obtain a permit. Even though the study found that it takes more than 6 months for some developers to receive approved permits. It was also revealed that the Planning Department is currently working hard to solve the issue of delays

in permit approval by arranging for more frequent permit approval meetings earlier the quarterly meetings prescribed by statute. The study revealed that 75% of all respondents acquired permits before the structures are developed.

Furthermore, the study revealed that most of the developers are either not aware of conditions attached to permits to guide development or claimed that no conditions were made known to them. This is contrary to the claims of the Planning Department that conditions are attached to every permit to guide developers.

Another revelation was the fact that 69.4% out 206 developers do not acquire occupation permits before occupation of structures. The reasons for this anomaly were that occupation permits were not necessary while others claimed that information on occupation permits was lacking. Also, it was discovered that it costs about Ghc322.00 to acquire an occupancy permit and this is another reason deterring people from applying the permit.

Once more, it was found that extension permits were not secured by developers who

- Make structural alterations to building; or
- Executed works or installed fittings in connection with existing building.

Furthermore, 24.2% of all respondents made extensions while 73.2% of these respondents attested to obtaining permits before the extensions. It is claimed that ignorance of the requirement for these permits is the reason why 26.8% did not obtain extension permits. It was also identified that the Planning authorities were very much silent on the occupancy permits.

5.2.1.3 Monitoring and Enforcement Planning Regulations

The study found out that the Building Inspectorate Unit and the Physical Planning Department are the institutions that monitor development activities to ensure that these developments are in compliance with local plans and building regulations. This monitoring process is done through field visits. It was identified that 81% out of 167 developments were monitored by these institutions. It was also confirmed that developments were inspected during the development stages.

Apart from inspecting on-going developments, monitoring tours are also conducted throughout the settlements to ensure that no unauthorised developments were taking place. As attested to by the Building Inspectorate Unit (BIU), *“we go for field visits, if we find any site cleared, we start monitoring the area. When we see any structure coming up, we go and*

ask for the permit and from this time, monitor the area always to ensure that the development is according to the planning scheme”.

Even though monitoring is important for ensuring that plans are being adhered to, officials are faced with obvious limitations of personnel and resources. The BIU claims *“We are not able to monitor all projects. The reason is that we do not have a car to be able to go for field inspections”.*

During monitoring, an attempt is made to ensure compliance with building regulations and planning schemes. Therefore, BIU says *“when we visit any site and the developer fails to produce a permit, we issue a stop work notice. When the person fails to comply, he/she is issued an enforcement notice”.*

In a nutshell, the study revealed that compliance to planning schemes and building regulations are secured through:

- Preparation of Structure and Local Plans;
- Permit approval process;
- Site inspections;
- Stop work and enforcement notices; and
- Demolitions.

5.2.2 Citizen Participation in Development Control

In a democratic society, many progressives believe that the planning of a community should be dictated by the people who are living in it (Sittig, 2013). For this reason, findings were made concerning how participatory the process of orderly control of physical development is in Sekondi-Takoradi.

The findings show that 40.5% of the respondents in this study participate in the preparation and approval of development plans. The analysis further show that 60% of these respondents who participate in planning activities only do so through information sharing. Participation in planning was secured through information provision during the data collection surveys conducted by the planning institutions. This level of participation is shallow and at best tokenism.

For the above reasons, majority of the respondents, including the chiefs feel that they do not have an actual influence on the decisions-making process of formulating physical plans. It is however suggested that the planning authorities should conduct more public education and public forums to ensure more participation in the preparation of physical development plans.

5.2.3 Participation of Public Institutions in Development Control

The study also examined the level of participation and coordination of state institutions in development control. The Lands Commission (LC), the Building Inspectorate Unit (BIU), Chiefs and Traditional Authorities (TAs) and the Metropolitan Planning and Coordination Unit were specifically examined due to their close working relationship with the Town and Country Planning Department.

The findings suggest that these institutions work collaboratively to ensure orderly spatial development in Sekondi-Takoradi. While the Planning Department is responsible for initiating and preparing land use plans, it is done using the base maps provided by the Survey and Mapping Division of the Lands Commission. The Public and Vested Lands Division of the Lands Commission also work to ensure that spatial plans are implemented on public lands. Also, the Lands Commission facilitates the process of approving permit by providing information on the land in question.

Furthermore, the Chiefs and Traditional Authorities ensure that approved Land Use Plans are plotted on the ground. This is done by employing the services of professional surveyors, who demarcate the detailed layouts on the ground.

In addition, the Building Inspectorate Unit conducts field inspections to ensure that permit regulations and Land Use Plans are not violated by developers. The department also ensures that offenders are brought to justice.

The responsibility of coordinating the activities of all institutions rests with the Metropolitan Planning and Coordinating Unit. The department of Planning prepares the development plans for the entire Metropolis. The Physical Planning Department then ensures that the plans are prepared for the spatial components of this development Plan.

In a nutshell, the coordination among the state institutions was found to be encouraging. There is however enough room for more coordination for enhance planning and development control.

5.2.4 Institutional Capacity for Development Control

Institutional capacity is also an important consideration in development control. Since the resources available to the institutions to aid in the execution of functions are as important as the functions themselves.

To this end, the study discovered that the main institutions at the heart of the development control function, the Physical Planning Department and the Building Inspectorate Unit are ill-

resourced. It was found that while the Physical Planning Department is well resourced in the logistics for the production of planning schemes, it had inadequate professional planners to enable the department effectively perform its functions. While the Physical Planning Department needs, at least, 5 professional Planners, it has only one.

In the same way, the Building Inspectorate Unit was ill-resourced in both personnel and logistics. It was realised that only two sub-metro offices of the supposed four were functional due to inadequate staff and logistics. The BIU needs at least 30 building inspectors but has only 15. The necessary equipment for monitoring and field inspections was either inadequate or unavailable.

In terms of funding, the departments are ill-equipped. Even though the PPD and the BIU are revenue generating departments, this revenue is added to the Assembly's pool of revenue making it not easily available for the use of the departments.

5.3 RECOMMENDATIONS

This study examined the process of development control in Sekondi-Takoradi dwelling much on what happens before and after the preparation of land use maps to guide physical development in the city.

The study identified both the strengths and weaknesses in the development control function as practiced in Sekondi-Takoradi. It is hereby recommended that the following measures be undertaken by the relevant stakeholders to ensure effective and efficient control of development in Sekondi-Takoradi and other urban centres of Ghana.

- Employ more professional staff. There is an urgent need for more professional staff at the Town and Country Planning Department and the Building Inspectorate Unit of the Sekondi-Takoradi Metropolis. Government should therefore make TCPD and BIU priority areas for employment. Meanwhile, available staff should be given refresher training to equip them in modern ways of planning and controlling physical development. The departments should be allowed to employ their own staff on a temporary basis while the government fast tracks measures to absorb those staff into the government system. Town and Country Planning Department and the Building Inspectorate Unit are very important departments in the country's efforts to have a firm control of physical development activities. The Department of Planning needs at least two more Town Planners in the shortest possible time while the Building Inspectorate Unit needs ten Building Inspectors.

- Provide more opportunities for participation in activities of the TCPD. Participation is an important mechanism in planning because it gives the public and key institutions and agencies the opportunity to influence the goals of planning. During the preparatory stages of plans, the TCPD and its allied institutions should afford more opportunities for the public and community members to participate. The Department could give the communities the opportunity to determine what goals they intend to achieve and then forward them to the TCPD for necessary technical works. The communities should also be given the mandate and encouragement to initiate community development plans, with the technical assistance of the TCPD. In the plan preparation processes, the Department should also use community open forums, radio phone-in discussions, public meetings, exhibitions and questionnaire surveys to involve the public during the preparation of plans. The goal of participation should be to make the communities and their citizens owners of the plans to facilitate easy implementation.
- Increase logistics to the Institutions. The Town and Country Planning Department and the Building Inspectorate Unit need to be adequately resourced to perform their mandate of controlling physical development in Sekondi-Takoradi. The departments should be provided with vehicles for field inspections and monitoring. In Particular, the Building Inspectorate Unit should be provided with a bulldozer, Pay loader, and two vehicles for field inspections.
- Allocate more funds to the TCPD and BIU. Concerted efforts should be made by the Metropolitan and Central Government authorities to provide more funding to the Town and Country Planning Department and the Building Inspectorate Unit. At the Sekondi-Takoradi Metropolitan level, efforts should be made to ear-mark revenues from the Town and Country Planning Department and the Building Inspectorate Unit. This will be such that the revenues would still be part of the composite revenue of the Metropolis but would be solely reserved for the use of the two departments. To do this, a by-law needs to be passed to legally separate the revenues to the Departments while they remain physically part of the revenues of the Assembly. Also, about 5% of the District Assembly Common should be allocated to the TCPD to enable it effectively plan and control development in the country. This can be done through appropriate legislations.
- Publish detailed information on permit processes. The Town and Country Planning Department should publish information on permit processes and requirements,

including the time lines involved, in various mediums to give the public adequate information on them. The information could be published on community information boards, in news bulletins, through distribution of leaflets and news-sheets and radio ads in the local dialects. To further boost patronage of development control processes, the Department should annually disclose revenues from permit fees and the usage of these revenues. When the public are know that their fees are being used for the development of the Metropolis, they will develop more interest in the processes.

- Regular updating of information on Planning Issues. Development control requires up-to-date information to make planning reflect the needs of community. For this reason, the planning authorities should constantly collect, analysis, interpret data for planning purposes. This data should be updated regularly to incorporate new trends in the City. The data could be obtained through Questionnaires Surveys, Field Observations and Community Focus Group Discussions.

5.4 CONCLUSION

The importance of development control in Land Use Planning can never be over-emphasised. There will always be new developments in the urban area as a result of urbanisation and economic development. The physical developments that arise as a result of these forces must be successfully channelled into appropriate locations and forms to bring about order in the urban space.

The study aimed at examining the process of development control in Sekondi-Takoradi with the aim of making recommendations that would ensure effective and efficient development control in the city. The results suggest that physical developments are controlled through the preparation of physical development plans and the vetting of development/building permit applications. It has been established that 75% of developers obtained permits before developing physical structures. In terms of community participation in decision-making, the study revealed that 40.5% of the public participate in decision-making mainly through information giving. The collaboration among the land use institutions has been found to be encouraging. It was also revealed that 81% of physical developments were inspected during the construction stages to ensure that they complied with regulations.

In a nutshell, development control is ensured through the preparation of Structure and Local Plans, the permitting process, site inspections, enforcement and stop work notices as well as demolition of unauthorised structures.

The study has therefore been conducted and the recommendations proffered. It is hoped that the insights into development control gained would help spur development control in Sekondi-Takoradi and other urban centres of Ghana.

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APPENDICES

Appendix one

DEPARTMENT OF PLANNING, KNUST MPHIL. PLANNING

TOPIC: AN INSIGHT INTO DEVELOPMENT CONTROL IN URBAN CENTRES OF GHANA; A STUDY OF SEKONDI-TAKORADI

This research is strictly for academic purposes only, confidentiality is therefore assured.

LAND LORDS/LADIES

1. When was this house built?.....
2. Are you the owner? A) yes B) No
3. If yes, how did you obtain the house?
 - a. Built b. bought c. inherited d. others, specify

IF NOT BUILT BY YOU, SKIP QUESTIONS 4 to 20

4. From whom did you acquire your plot of land?
 - a. The Stool b. A family c. An individual d. The government
5. Do you have documents on the purchase of your land and development of your structure?
 - a. Yes b. No
6. Which of the following documents do you have in your possession concerning your land and the structure on it?
 - a. Site allocation
 - b. Sector plan
 - c. Lease
 - d. Title to land
7. Is the land on which your structure is situated being used for the purpose for which it was earmarked?
 - a. Yes b. No c. Uncertain
8. Do you have a building permit?
 - a. Yes b. No
9. If you obtained a building permit before commencing the building, what types of documents did you submit during your permit application?
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.....
10. From whom did you obtain the building permit?
 - a. STMA b. An Agent

11. How long did it take to receive the permit?

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12. How did the length of time for permit approval affect your development?

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13. Did you face any problems in obtaining the permit?

A. Yes B. No

14. If yes, state the problems

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.....

15. What conditions were attached to the permit?

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16. Do you think all the conditions are necessary? A. Yes B. No

17. Was the construction of your house supervised? A. Yes B. No

18. Who supervised the construction?

- a. Building and inspectorate units
- b. TCPD
- c. Agents of TCPD
- d. Others, specify

19. If yes, at what level?

- a. Excavation b. Foundation c. Lintel d. Roofing e. Others, specify

20. Before you occupied this house, did you obtain an occupancy permit?

If no, why?

21. Have you carried out any extension since the house was built?

- a. Yes b. no

22. If yes, what type of extension was it?

.....
.....

23. Did you obtain a permit for the extension? A. Yes B. No

24. If no, why?

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.....

25. Do you have any of these housing facilities?

- a. Water b. KVIP or Water closet c. Bath d. Refuse disposal facilities
e. others, state

26. Do you participate during the preparation of development plans?

- a. Yes b. No

27. If “yes”, in what way do you participate in the plan preparation?

- a. Information giving b. attending public hearing c. consultative meetings
d. others, specify

28. Do you think it is important for the public to make suggestions to the planning authority during plan preparation?

- A. Yes B. No

29. Do you support the idea of regulating development?

- A. Yes B. No

30. Would you help the TCPD in regulating development?

- A. Yes B. No

31. If yes, would you report anyone undertaking unauthorized development in your neighborhood?

- A. Yes B. No

32. Do you think the TCPD is very effective in its duties?

- A. Yes B. No

33. Which of these duties would you share the TCPD performs well?

- a. Preparation of land use plans
b. Permit approval
c. Coordination of physical development
d. Monitoring of physical development
e. Physical planning research

34. What should the TCPD do to be more effective?

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35. How would you describe your relationship with TCPD

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.....

Appendix Two

BUILDING INPECTORATE DIVISION

1. What are your primary functions?

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2. What role do you play in development control?

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3. How do you monitor development activities?

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4. Are you able to effectively monitor all development projects?

A. Yes B. No

5. If no, why?

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...

6. Under what conditions do you issue an enforcement notice?

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7. Under what conditions do you issue a stop work notice?

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8. Are these notices always complied with?

A. Yes B. No

9. If no, have you ever prosecuted offenders in a court of law?

A. Yes B. No

10. In what ways do you assist the TCPD in its work?

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.....
11. Are you always able to discharge your duties effectively?

A. Yes B. No

12. What resources do you need to effectively discharge your duties?

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13. What problems confront the department in the discharge of its duties

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14. What can be done to solve these problems?

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.....
15. How do you ensure compliance with development plans?

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16. What do you do to unauthorized developments?

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17. How would you describe your relationship with the TCPD?

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.....
18. Do you think TCPD is very effective in its work?

A. Yes B. No

19. What should TCPD do to become very effective?

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.....
.....
20. What should be done to ensure effective development control?

21. Staff available

Position	Level of education	Years of service

22. Logistics

Available	Required

23. Please provide any other documents that may be useful for the study.

Appendix Three

TOWN AND COUNTRY PLANNING DEPARTMENT

1. What are the primary functions of the TCPD?

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2. How do you initiate the preparation of a development Plan?

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3. What types of development plans do you produce to guide development?

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4. Do you have a provision that helps developers to go ahead with their development even if development plans are still in preparation?

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5. Do you have an approved development plan for every part of this city? Please, provide local plans.

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6. If no, why?

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7. How do you involve the public during plan preparation stages?

- a. Yes b. No

8. If yes, at what level do you involve them?

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9. If no, why

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10. What role does development plans play in development control?

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11. What categories of developments require development permits?

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12. What do you consider in approving development s?

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13. What documents are normally attached to permit applications?

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14. Do you think all the documents are important in ensuring orderly development?

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15. What conditions or limitations do you normally attach to approved permits?

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16. Are there instances where these conditions in above are flouted?

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17. If yes to (16) what do you do to the offenders and the non-conforming developments.

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18. How long does it take you to grant a development permit?

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19. Ideally, how long should it take?

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20. What reasons account for the delay in granting permits

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21. In what ways does the delay affect development control?

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22. Do you publish notices of developments requiring permits?

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.....I

s there any provision that allows the public to make suggestions concerning a development which is being vetted for permission?

.....

23. Why do we need to control development?

.....

24. How many applications have you granted over the past five years

Year	Received	Granted	Pending
2009			
2010			
2011			
2012			
2013			

25. What are the reasons for refusal of some applications?

.....

26. Reasons for not being able to work on some permit applications?

.....

27. How do you enforce the provisions of development plans?

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28. Are you able to do this effectively?

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29. Which departments and agencies help the department in ensuring development control?

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30. What problems do you face in ensuring effective development control?

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31. How can these problems be solved?

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32. What problems do you face as a department?

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33. What help does the department need to ensure effective and efficient development control?.....

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.....

34. Available staff

Position	Level of education	Years of service

35. Logistics available and required

Available	Required

36. Please provide copies of local plans and other documents that may be necessary for getting insight into development.

Appendix Four

STOOLS

1. What are your primary functions in land development?
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2. Who owns the land in your area of jurisdiction?
a. Families/clans b. The Stool c. Individuals
3. How do you dispose-off stool lands?
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4. What are the processes involved in acquiring stool lands?
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5. Do you have local plans for all lands under your jurisdiction?
A. Yes B. No
6. If no, what plan guides the allocation of lands in your areas of jurisdiction?
A. Self produced plan B. No plan
7. If Yes, Who prepared that plan?
A. A surveyor
B. Personnel from the Town and Country Planning
C. Was in existence when I became a chief
8. Was your opinion, comments or concerns taken into consideration in the preparation of the sector plan for your area of jurisdiction?
A. Yes B. No C. Was in existence before becoming chief
9. Do you accept the existing sector plan for your area of jurisdiction?
A. Yes B. No

10. Do you take into consideration the provisions of local plans before disposing-off stool land?

A. Yes B. No

11. Do you play a major role in the preparation of development plans?

A. Yes B. No

12. What roles do you play during the Process of plan preparation?

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13. At what level of local plan preparation do you participate?

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14. In what ways do you aid the approval of development permits?

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15. What is the nature of the relationship or interaction?

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16. In your view, is the TCPD performing its duties well?

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17. What can they do to become more effective?

Thank you very much for yourself valuable information!