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Building Permit as a Tool for Development Control: Evidence from Sekondi-Takoradi

Jerry Chati Tasantab

Department of Planning, Kwame Nkrumah University of Science and Technology, Kumasi

Abstract

Building permits are an important requirement for orderly urban development. They are consents that a proposed development meets land use regulations. Thus, issuance of building permits goes a long way to promote effective development control in settlements. However, the practice of vetting and approving every development has not been wholly successful in Ghana. This situation has led to haphazard developments in the major urban centres of the country. This study was therefore conducted to investigate how building permits can be used as effective measures for controlling physical development. The evidence shows a disjoint between laid down procedures for development control and actual practice. The results further show that delays in approval and issuance of permits has been a major bottleneck of compliance to building regulations. The paper recommends that efforts should be made to streamline processes for evaluation and issuance of permits.

Key Words: Building permits, Development control, Planning Schemes, Spatial Planning, Urban Development

1. INTRODUCTION

1.1 General Introduction

Conscious efforts at ensuring harmonious spatial development and environmental sanity in Ghanaian settlements date back to the colonial era. According to Leith, 1974 (cited in Fuseini and Kemp, 2015) the ten-year development Plan (1920-1930) launched by the British Colonial Governor Gordon Guggisberg was the first such comprehensive effort to direct the development of the Gold Coast, now Ghana. As one of the leading cities in the country, Sekondi-Takoradi is one of the major cities of the country which initially saw some level of spatial planning and hence development control during these colonial times. These imperial developmental policies greatly influenced the spatial and physical development of towns in the country. This plan laid the foundation for the development of the country through the establishment and installation of several key institutions and infrastructure which are still very important to the development of Ghana (Fuseini and Kemp). Later came the Town and Country Planning Ordinance of 1945 (CAP 84) which was the basis for zoning and building codes in the country (Ahmed and Dinye, 2011, in Adarkwa, 2012). The CAP 84 has been primary document guiding development control in the country.

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 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 said to be planned. Somiah (2014), suggests that 38% of the buildings in Sekondi-Takoradi are without permit or approval from authorities. 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 through the issuance of building permits.

1.2 Understanding Development control

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 to control and manage the use of land necessitated spatial planning (Fuseini and Kemp, 2015).

According to Keeble (1969) "development control is the regulation of the detailed aspects of development, about which precise guidance cannot be given by the development plan, so as to ensure convenient and slight results". Keeble (1969) also 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.

Development control therefore fulfils a very important purpose in the growth urban centres. 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. Ogundele et al., 2011 also proposes that development control is necessary for ensuring that activities on the land and building developments do not compromise good practices. By so doing, misuses or abuses are curtailed.

Qian (2010) also believes control of land developments is essential assuaging market imperfections such as negative externalities or social cost, and provision of public goods.

Furthermore, Klosterman (1996) development control emerged due to the need to raise amenity levels, increase efficiency in the performance of necessary functions; and promote health, safety, and convenience and thereby improve the built environment.

Therefore, development control was meant to ensure that physical development takes place in a manner that inures to the health, safety, beauty and convenience of urban residents. However, the practice of development control in Ghana has had mixed results as the subsequent sections would make clear.

2. DEVELOPMENT CONTROL IN GHANA

2.1 Brief History

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 Municipality. 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.

Since the promulgation of the Cap 84 in 1945 it has remained the sole basis for ensuring orderly spatial development in the country. The regulations have therefore failed to meet the changing urban development situation of the country. Since independence, there has been a drive to widen the spatial scope of planning and to strengthen institutional capacities in Ghana, leading to the establishment of planning department across the country (Fuseini and Kemp, 2015). In line with this agenda, 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 contravene the proposals in planning schemes. Section 12 of this Act bequeathed the planning of towns and cities into the domain of the District Assemblies. The National Building Regulations Act of 1996 (LI 1630) was also enacted to provide more guidance for development operations. There have been obvious deficiencies in the

way planning has been done in the country since independence, which include inadequate housing, slum development, urban sprawl, poor sanitation, flooding, uncontrolled urban growth (Fuseini and Kemp,2015; Acheampong and Ibrahim, 2015; Adarkwa, 2012; Cobbinah and Amoako, 2012; and Yeboah and Obeng-Odoom, 2010).

To resolve these shortfalls, the Land Administration Project (LAP) was instituted in 2007 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. It also sought to ensure sustainable development and improvement in the quality of life and human settlements amenities and ensure the continuous improvement in the development and judicious use of land. It also intended to 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). It is expected that the Land Use Planning Bill which has just been passed by parliament (2016) would herald a period of coordinated spatial development in Ghana.

2.2 Building Permits Framework in the context of Ghana

According 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. The author 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 and advertising hoardings or boards.

In order to fully appreciate the challenges of building permit regime in Ghana, it is important to understand the practice in other jurisdictions. The CAP 84, based on whose guidelines building permits are have largely been issued in Ghana was a product of Britain's (Ghana's colonial master) attempts to restructure planning efforts in metropolitan Britain after the Second world war. This was extended to the colonies to, among other things, provide decent accommodation for the war veterans, the local literate labour force and to plan for the increasing population growth in urban centres (Fuseini and Kemp, 2015). Due to the origins of this framework, there appears to be little difference between Ghana's Planning System and that of the developed countries, notable Britain (Yeboah and Obeng-Odoom, 2010).

Rabe, et al., (2011) postulate that the issuance of a building permit in Malaysia is contingent on the developer making an application. The applicant is required to submit development plan together with land title, boundary and topography survey report to the local authority. The authors contend that *"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"*.

Another Planning System that bears semblance to that Ghana is the Chinese system. 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"*.

Furthermore, Doublet (2002) opines that the 1992 Development Planning Act of Malta instructs any person who intends to undertake a development to apply for consent and adhere to the regulations in operation at the point in time. The author further states that section 33(1) of the act stipulates that when the authority is determining an application, it should consider the policies emanating from the development plans in operation and any other material considerations including aesthetics, sanitation, and whatever the planning authority may deem relevant.

Based on this backdrop, the building permit framework will be discussed.

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 which relate to building permits 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; and

b. 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 from the District Planning Authority which shall contain such conditions as the District Planning Authority may consider necessary.

The National Building Regulations (LI 1630) of Ghana also provide the guiding principle for development and/building permits. It states in section 2, 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 relevant to the plans (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.

Furthermore, the section 8(1,2) of the LI 1630 requires that where a person submits an application for a building permit, the District Planning 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. This conflict between the Act 462 and the LI 1630 provides loopholes for building developers to easily outwit the Planning Authorities.

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. The applicant then completes these forms and submits them at the Development Control Unit. Apart from these forms, the Planning Department instructs 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 1:40or 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.
- 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
- 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
- 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 report (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*".

According to the Metropolitan Planning Officer for Sekondi-Takoradi, 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 processes involved in granting physical development permits in Sekondi-Takoradi Metropolitan Assembly therefore follows the order below:

- 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 bottlenecks that developers go through to acquire permits. In many instances however, the duration for the approval of permits defer in practice.

Yeboah and Obeng-Odoom (2010) suggest that these requirements which applicants are expected to provide (a land title certificate and detailed engineering, architectural and structural drawings and, sometimes, a geological certificate) are not easy to acquire. "These requirements are 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 proved to be counterproductive over the years. It is said that the requirements for permit applications can be 'scary and intimidating and 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'".

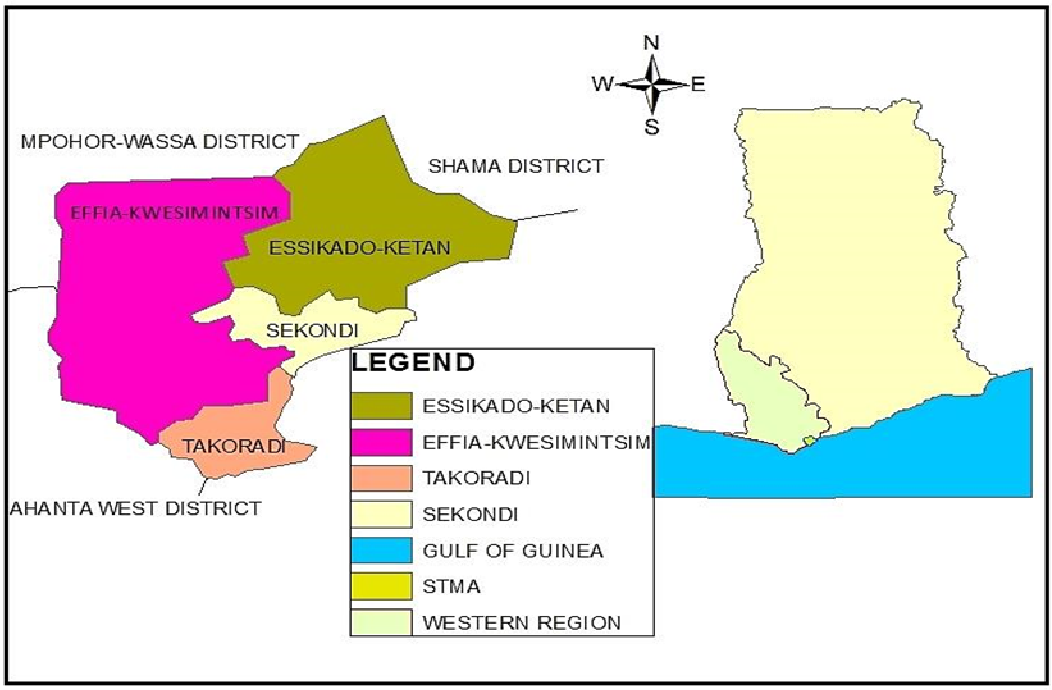
In the light of these issues planning applications have generally been ignored by developers in development activities Yeboah and Obeng-Odoom (2010). It is important to consider how the issuance of building permits contributes to ensuring orderly development in Ghana with emphasis on Sekondi-Takoradi Metropolis.

3. PROFILE OF SEKONDI-TAKORADI

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. 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'voire border as shown in figure 1. It is thus advantageously located in view of its closeness to the sea and the airports and accessibility to major cities by rail and road (CHF International Ghana, 2012).

Sekondi-Takoradi city is now nonchalantly called the Oil City of Ghana because of the discovery and production of enormous oil resources (about 800 million barrels of oil, 36.5^{o} API sweet crude and gas reserves of 1,040BCF-1.2TCF) off the coast of the western region. This has resulted in oil induced migration of people from all over the world into the city. 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 1 shows the study area in national and regional context.

Figure 1: Sekondi-Takoradi in the national and regional context



Source: Author's Construct, 2015

4. DATA SOURCES AND METHODS

Data for this study was obtained from both primary and secondary. The primary data was obtained using Key Informant guides to interview officials from; 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 the role as the main institution mandated to ensure development control. All development control measures and regulations have to start from the department. Also, the Building Inspectorate Unit of the Works Department was selected because they are responsible for the day to day monitoring and enforcement of physical development. Furthermore, the building permits approval are also contingent on land titles, the lands commission and stool lands was also interviewed.

The other key source of primary data was the household interviews conducted using a structured questionnaire. This was administered to 400 landlords/landladies (which were selected based on convenience) from five suburbs in Sekondi-Takoradi. These suburbs were purposively selected to provide a mixed of old suburbs and new areas. The suburbs included Windy Ridge, and Chapel Hill, Fijai, Adiembra and Keikuma. This allowed from cross-sectional understanding of the trend of building permit issuance in the city. The absence of absence of property address and house listing system necessitated the use of these non-probability sampling methods.

On the other hand, the secondary data were obtained from authorities on planning Ghana including, Adarkwa (2012), Ahmed and Dinye (2011), Cobbinah and Amoako (2012), Somiah (2014), Yeboah and Obeng-Odoom (2010), and Fuseini and Kemp (2015). Legal frameworks for local governance and planning are also heavily relied on for this study. These include the Local Government Act (Act 462), Town and Country Planning Ordinance of 1945 (CAP 84), the National Building Regulations, 1996 (LI 1630) and the Draft Land Use and Spatial Planning Bill of 2011.
The different sources of data serve to broaden and enrich the scope of the discussion.

5. RESULTS AND DISCUSSION

5.1 Permit Applications

The issue of building permits is very paramount to physical development control. The requirement for building permits takes it authority from the Town and Country Planning Ordinance of 1945 (CAP 84), the Local Government Act of 1993 (Act 462), the National Building Regulations of 1996 (LI 1630) and the bye-laws of the Metropolitan Assembly. 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). The procedure grants 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.

In line with this, the study ascertained that 25% of houses in the study area do not have development/building permits. This return is very low, considering the fact that Somiah (2014) suggests that 38% buildings in Sekondi-Takoradi Metropolitan Assembly had no building permits. Somiah (2014) collaborates Yeboah and Obeng-Odoom, 2010) who assert that 44% of structures in Ghana cannot be called “houses” is found in the Ghana Statistical Service 2000 Census report. The authors further cite UNHabitat (2009) which says that 45% of the structures in cities do not meet planning standards. One plausible reason for low patronage of building permits is that most houses owners place higher premium on obtaining a dwelling than following the sometimes time consuming process necessary to acquire development permits. This attitude of developers has further been helped by the under-resourced nature of the Planning Authority (Yeboah and Obeng-Odoom, 2010).

5.1 Duration for Permit Approval

Time is a very important element in many fabrics of life, including development control. In recognition of this important element, the Planning Frameworks in the country stipulated a period of three months for the approval building permits. This is necessary to ensure that the planning authority has ample time to conduct evaluations and consultations before permits are issued.

In practice however, evidence suggest that this timespan defers. Results from the study suggest that 64.1% respondents who sought building permits did not receive approved permits within the stipulated three-month duration. The respondents were unanimous in their assertion that delay in permit approval is a great disincentive to housing development. Delays in construction result in cost overruns for the developer due to inflation and other market forces (Kikwasi, 2012). This situation affects development control since a lengthy waiting time for permits can be used and is often used as an excuse by some developers for not patronising the development control processes.

Taken the year of permit approval into consideration, the findings show that 41.3% of the permits approved within the stipulated three-month duration took place between 2010 and 2013. This goes to support the claim by the Physical Planning Department that since the discovery of oil in the region, development/building permits have been approved earlier than usual. This assertion suggests that the processes could be fastened considerably.

To this the Planning Officer agrees disclosing that a decision has been made by the Metropolitan authority to ensure that permits are approved in less time than the stipulated three months. In order for this to happen, the Planning Officer suggests more staff, logistics and finances have to be made available to the department. The study further revealed that the Town and Country Planning Department and the Building Inspectorate Unit do not have adequate staff to enable them conduct timely site inspections as a necessary basis for approving permits. The Town and Country Planning Department in particular has only one Planner, who also performs administrative duties due to the absence of an administrator at the department. This situation affects the department's ability to meet permit approval timelines and so delays permit approval.

Over the past 5 years (2009-2013), the Sekond-Takoradi Metropolitan Assembly has processed about 3623 development applications. Out of this number, 3026 (83.5%) had been granted at the time of this study, while 73 were pending and 524 (14.5%) had been refused. It can be deduced from the above that certain factors are contributing to the refusal of permit applications. The Planning Officer points out that;

- Mistakes with drawing;
- Inability to conduct site inspection (which is usually as a result of lack of site plans); and
- Incompatibility of the proposed land use with the layout of the area.

The reasons given for the refusal of certain applications reveal that many developers are not well-informed regarding the conditions necessary for approving permits. This ignorance affects development control. Even if the necessary processes for ensuring effective development control have been put in place, ignorance of the conditions and requirements can still hamper their successful implementation.

Table 1: Permit Applications Received, Granted, Pending and Refused

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

As the Table 1 also shows, the applications which were marked as pending in the respective years of approval were mainly due to:

- Failure to provide necessary documents on time;
- Litigation over the piece of land;

The situation of 'pending' and 'refused' applications is particularly a detrimental issue since the National Building Regulations (1996), LI 1630 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*".

From the forgoing discussion, it has been established that 64.1% of applicants did not receive the approved applications within the stipulated three-month duration. In the light of the above suggestion in the LI 1630, 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.

5.2 Monitoring of Development Activities

According to the Building Inspectorate Unit of the Works Department of Sekondi-Takoradi Metropolitan Assembly, "*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 study reveals that the various stages in which 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 also ensures that developers develop according to prescriptions in the permit regulations and the local plan for the area.

The ideal situation is that the Building Inspectorate Unit should inspect all on-going development to ensure compliance with building regulations and approved planning schemes. However, the Building Inspectorate Unit attests 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 assertion collaborates Botchwey et al (2014) that though "building inspectors are expected to inspect and visit within the month as many buildings as possible that are being constructed, lack of logistics and transportation made it difficult to visit the sites". This situation has resulted in the Building Inspectorate Unit using enforcement measures such as "Stop Work" notices to ensure compliance to building regulations.

5.3 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 notices 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)

"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 such. 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
- 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 developments schemes cannot be carried out effectively without enforcement.

6. CONCLUSION

In conclusion, it is evident from the discussion that the issuance of building permits is a very important step towards the control of development in Ghana. Building permits ensure that new developments conform to

development plans and building regulations. They also ensure that additions to already existing buildings are down in a safe manner devoid of hazards of the occupants and property. The discussion showed that a quarter of existing buildings in Sekondi-Takoradi Metropolis do not have building permits. This finding by extension, means that a quarter of dwelling units have been built contrary development plans and building regulations. The analysis also reveals that majority (64.1) of permits were not approved on time. This is a discouraging condition which deters developers from submitting their building plans for approval. Furthermore, public education was not used to support the permit process. This is evidenced by the number permits which were not grated due to conflicts with the existing planning schemes. In addition, contradictions have been found in the legal frameworks which militate against orderly development control. For instance, the National Building Regulations (1996), LI 1630 suggest that "*An applicant not informed of the grant or refusal of an application may after the expiry of the 3 months commence development on the basis that the application is acceptable to the District Planning Authority*". Field inspections were used as the background for controlling development but were not carried out regularly due to inadequate staff and logistics. On the basis of what has been revealed in this study, the following recommendations will be made to ensure effective and efficient building permit approval processes.

- The various legal frameworks and regulations for development control should be harmonised in order to rid the planning system of contradictory and counter-productive regulations.
- A web based permit application portal should be developed such that applicants would be able to apply and track their applications online. The system should be designed such that applications can receive email and SMS notifications on the stage of their applications and any other matters that need their attention.
- 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.
- Management of Sekondi-Takoradi Metropolitan Assembly should assign building inspectors to specific communities in the Metropolis. The inspectors should also submit weekly reports of their activities so that responsibility for non-performance can be assigned to such officers. Also, the inhabitants of the communities should be tasked to monitor the activities of the building inspectors.

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