

ALL YOU NEED TO KNOW ABOUT THE PERMITTING PROCESS IN ACCRA METROPOLITAN ASSEMBLY

1. WHAT ARE DEVELOPMENT AND BUILDING PERMITS?

Development and Building permitting is the main instrument for controlling or managing physical development. Development permit in this context refers to permits issued in relation to planning and building applications. Effective development management promotes orderliness, convenience of movement, public safety and enhanced economic development.

Development Permitting deals with the correct use of the land, the appearance of the proposed building and the effect that the development will have on the general environment and neighbouring properties.

A development permit is a written permission authorizing a person to carry out development in accordance with conditions specified in the permit. Such development permit shall give due considerations to matters relating to zoning, planning standards and structural conditions of the proposed development

A Building Permit allows construction of buildings or structure to proceed on condition of compliance to building code.

A Building Permit deals with the manner in which a building is constructed, eg its structural stability, fire resistance, weather resistance, etc.

2. ACTIVITIES THAT REQUIRE DEVELOPMENT AND BUILDING PERMIT

INCLUDE:

2.1 Erection Of Any Building Or Structure Except Those Exempted By Law

All physical development involving the erection of any structure, making of structural alteration or transformation of any structure, execution of any works or installation of any fittings in connection with any structure, engineering, mining or other operations on, in, under or over land or the material change in the existing use of land or building comprising among others the sub-division of land, disposal of waste on land including the discharge of effluent into a body of still or running water and the erection of an advertisement or other hoarding among others shall require a development permit. **Act 480, Section 48; Act 936, Sections 91 (1) & 106 (1) and Act 925 Sections 113 & 117 (1&2);**

2.2 Making Structural Alteration and or Transformation (Renovation) To A Building

Any transformation to a building or structure to restore it to its original state in terms façade, fixtures or sewage system shall require a renovation permit from the Assembly. Also a transformation or alteration of any permitted structure or building which results in structural changes (remodeling) shall require a permit from the Assembly.

2.3 Hoarding Of A Property

Any temporary structure or fence erected round a building or construction site shall require a planning permit

Public safety shall be ensured and pollution in relation to air, water, noise and soils shall be avoided or properly mitigated.

A hoarding permit shall be incorporated into all Development applications (except for already fenced structures of property) and treated as one application.

2.4 Planning Permission-In-Principle

In the event that, a developer proposes to carry out any development that may be at variance with the allowable planning consideration for an area, the person may apply for planning permission- in- principle by submitting the

Perspective (not details) of the proposal for planning approval before actual development application. For instance, an applicant who may want to put up a high rise apartment in a typical low rise residential area.

Check List/Guidelines for Application in Principle (AIP)

- i. Perspective Drawings
- ii. Floor Plans
- iii. Land Document (Indenture or Certificate)
- iv. Project Brief
- v. Evidence of Neighbourhood Consultation
- vi. Preliminary Traffic Impact Assessment Report (T.I.A.)
- vii. Waste Management Plan
- viii. Soft copies of the plans on CD

2.5 Change Of Use/Rezoning

In the event that, a development proposal does not conform to the approved planning scheme in terms of Land use, the applicant would be advised to apply for a change of use if it is a plot of land. However, if the development proposal affects a larger parcel of land, then the applicant would be required to apply for rezoning.

The requirement for a change of use or rezoning shall be in accordance with the following:

- i. An official application backed by a Planning Justification Report endorsed by a certified Planner shall be submitted to the Physical Planning Department.**
- ii. The Report must provide relevant information such as a publication of the Application, evidence of Land ownership and the planning merit of the application.**
- iii.

2.6 Sub-division or Amalgamation of plot

In the event that a property owner intends to assign an interest on a portion of plot to another person or entity, there is the need for planning permission to be granted by the Assembly.

On the other hand, in the event that a property owner intends to merge two or more plots under one interest, or for a particular project, planning permission is required from the Assembly.

In these instances, the following requirements shall apply:

- i. An official application backed by a Planning Justification Report endorsed by a certified Planner shall be submitted to the Physical Planning Department.
- ii. The Report must provide relevant information such as a publication of the Application, evidence of Land ownership and the planning merit of the application.

2.7 Extension of Time

A development/building permit issued is valid for 5 years as per Instrument 7 of L.I.1630, 1996 (5 years). Consequently, a developer who is unable to complete development shall apply for planning permission for an extension of time.

2.8 Certificate Of Completion For Habitation

- A developer is required to apply for a completion certificate for habitation before occupying a building after completion as per **Regulation 10-7 L. I. 1630, Act 925, Section 161**

2.9 Temporary Structure Permit

A temporary structure is any physical structure constructed, installed or placed on spaces zoned for permanent uses and meant to facilitate the construction of a permanent structure, serve short term emergency needs or facilitate small scale business operations.

The temporary permit shall be renewable every six months for a period not exceeding five years.

- Permits for Temporary structures shall be issued to developments that are not permanent in nature.
- Permits for Temporary structures shall be renewed every 6 months.

Temporary Structure Permit applications shall be presented on form

The basic requirements for a temporary structure permit are:

- i. Application form
- ii. Evidence of good title to the land or permission from relevant stakeholders
- iii. Site Plan to the scale of 1:2500 or 1:1250 and conforming to the local plan of the area
- iv. Block Plan to the scale of 1:50
- v. Designs of proposed temporary structures

An applicant shall be required to obtain all necessary approvals, permits and licenses from relevant central and local government authorities.

2.10 Regularization of Existing Structures

Regularization of permit shall be undertaken for all structures that have been developed without permits. Only structures that meet minimum condition for the grant for regular development permit shall qualify for the grant of regularization permit

All applications to regularize permits for existing structures shall be required to submit all requirements listed for the category of such structures in addition to Structure Integrity Report

2.11 Extension of Existing Building

The addition of a usable area or utility space to an existing structure shall constitute an extension.

Applications for permit to extend existing structures which do not have prior permit shall be treated solely as applications for regularization of permit.

2.12 Demolition Permit

All demolition works shall require permit from the Assembly. Sufficient precaution shall be taken to safeguard public safety, health, adjoining properties

and properties with heritage significance. Pollution in relation to air, water, noise and soils shall be avoided or properly mitigated.

Application for Demolition Permit

Persons seeking to apply for demolition permit shall complete an application form designed for the purpose including information that ensures that the following basic requirements have been fully fulfilled:

- i. Site plan
- ii. Block plan
- iii. Demolition plan and precautions outlined
- iv. Current Pictures of the structures to be demolished
- v. Acknowledgment of utility services disconnection (electricity, water, sewer, etc)

3. STATUTORY REQUIREMENTS FOR A DEVELOPMENT/BUILDING PERMIT

- i. Submit your full set of application to the Physical Planning Department
- ii. Attach completed land ownership document from Lands Commission
- iii. Attach four copies of architectural drawings signed by a certified Architect
- iv. Attach four copies of structural drawings signed by an Engineer
- v. Proposed development must conform to zoning status
- vi. A certified soil test report
- vii. Fire certified report including drawings from the Ghana National Fire Service
- viii. Environmental Protection Agency Permit
- ix. Structural integrity report in case construction development has already commenced or is completed

In addition to the statutory requirements above, in AMA the following requirements also apply;

- x. **Business Registration Certificate (for organizations).**
- xi. **Business Operating Permit (for organizations).**
- xii. Up to date Property Rate payment (Existing Buildings)

N/B: For Category A: A developer may be asked to provide additional information depending on usage, size, etc.

N/B: For Category B: Some Development Projects require a prior application for “Planning Permission –in- Principle” before application for a substantive Development /Building permit.

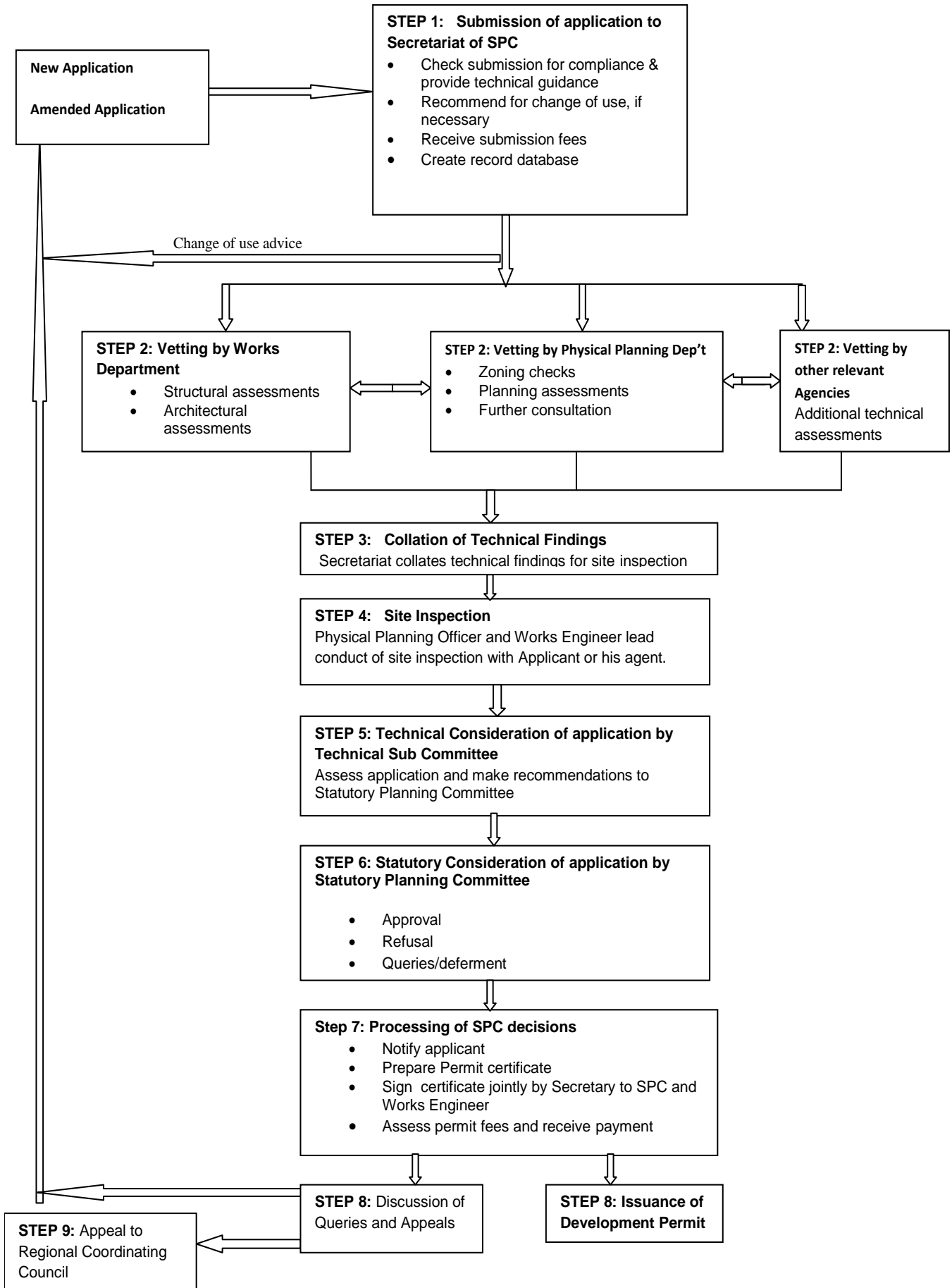
3.3 Check List for requirements

- i. Building Permit Application Form-----**one(1) copy**
- ii. Title Search-----**one(1) copy**
- iii. Indenture or Deed of assignment or Land Title Certificate ----**one Copy**
- iv. Architectural Drawing-----**four(4) copies**
- v. Structural Drawings -----**four(4) copies)**
- vi. Structural Calculation Report----- **four(4) copies)**
- vii. Fire Report-----**three(3) copies**
- viii. Mechanical or Services Drawing -----**four(4) copies**
- ix. Geotechnical Report Structural Integrity Report-----**three (3) copies**
- x. Environmental Permit-----**one(1) copy**
- xi. Traffic Impact Assessment (T.I.A)----- **(three (3) bound copies)**
- xii. Hydrological Services Report (if requested)----- **(three (3) bound copies)**
- xiii. Property Rate

4. THE LEGAL AND INSTITUTIONAL ARRANGEMENT FOR PERMITTING

- 1. All Metropolitan, Municipal and District Assemblies are mandated as planning authorities to manage physical development within their areas of jurisdiction based on approved development plans and spatial (Local) plans as per (Act 480, Section 48); act 936 amendment Act 940 part three section 82-111 ; Act 925 section 33-42**
- 2. The District Spatial Planning committees of all MMDAS are responsible to ensure that physical development is in compliance with Act 925 and all other enactments of being in force regarding development**
- 3. The Technical Sub-Committees are responsible for advising the District Spatial Planning Committees with respect to their functions of managing physical development.**
- 4. The Physical Planning Departments are the Secretariat to the District Spatial Planning Committee and Technical Sub-Committee.**
- 5. The planning and Building Inspectorate units are responsible for monitoring and evaluation Physical Development to be in compliance with laid down regulations**
- 6.**

PERMITTING FLOW CHART



4. COST OF THE PERMIT PROCESS

Apart from the cost of the Permit Application Form and Processing Fees, all other costs are arrived after going through each process based on the fee fixing resolution of the Assembly for that year.

The Fee fixing Resolution for each year is published on the Assembly's Website and copies can also be purchased as the Ghana Publishing Company (Assembly Press).