



The Planning Model

Volume 4

LOCAL PLAN

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GLOSSARY OF TERMS

Abbreviations	Meaning
Cap 84	Town and Country Planning Ordinance, 1945
DA	District Assembly
DCE	District Chief Executive
DCD	District Coordinating Director
DPA	District Planning Authority
EPA	Environmental Protection Agency
LUPM(P)	Land Use Planning and Management (Project)
LUPMIS	Land Use Planning and Management Information System
MDA	Ministries, Departments and Agencies
MMDA	Metro, Municipal and District Assemblies
NDP	National Development Plan
NDPC	National Development Planning Commission
PPPs	Policy, Programmes and Plans
RCC	Regional Coordinating Council
RFP	Request for Proposal
SDF	Spatial Development Framework
SEA	Strategic Environmental Assessment
TCPA	Town and Country Planning Authority (proposed)
TCDP	Town and Country Planning Department
TOR	Terms of Reference

1 Definition

A Local Plan is a detailed plan which proposes a dimensionally accurate (to within +/- 100mm) disposition of land by function and purpose, to meet the present and future identified community needs within the time frame for which the plan is valid. Local Plans should conform to the broad land use classification prescribed for them in the Structure Plan and are prepared and implemented when required. In general, the Structure Plan should identify the phasing of development within the town and the preparation of Local Plans should follow this phasing. Local Plans should have a fixed period for implementation, depending on the size of the development. In general, Local Plans are valid for five years, but may make proposals which cover a fifteen year period. This will avoid a situation where development takes place in different parts of the area at the same time, which can make provision of services like roads, water, electricity, and telecommunication, among others, un-coordinated and expensive.

Local Plans may cover sectors, neighbourhoods or small developments including multiple plots which are designed as a contiguous area. They are prepared for sectors and/or parts of towns depending on the size and neighbourhood with a scale of 1: 2500, and for smaller contiguous developments at scales down to 1:500.

Local Planning can be classified into three categories as follows:

1. Planning for old parts of town which can be described as urban regeneration/revitalization, redevelopment, urban upgrading or urban consolidation
2. Planning for developing parts of town which have begun to be developed but for which there are presently no approved plans.
3. Planning for presently undeveloped areas (green field sites)

In addition, subdivisions on plots greater than half hectare, previously designated for single unit occupancy, or where a change of use is proposed, will be treated in a very similar way to other Local Plans. The main difference will be that the consultation process will be different as the land ownership is assumed to be under the single ownership and so not require the social survey and clarification of plot boundaries within the site. The developer will be obliged to follow Local Plan procedures as described in the Manual, and post a notice as required under the revised development permit process and to hold a public consultation as in Step 8 of the process (see Section 3.3. below).

2 Contents of the Local Plan

The local plans define the land uses for all parcels of land within the plan area. The Local Plan includes:

- a. Zoning ordinances pertaining to the Local Plan area, covering all parcels of land
- b. Plans for infrastructure serving, and within, the plan area

The detailed zoning ordinances will complement the zoning ordinances included in the Structure Plan. The ordinances may cover the form of the development and other considerations that must be observed by those developing or using the land, at the discretion of the Assembly. These may include:

- a. The land coverage of the construction on a plot in the zone, if not covered by the Planning Standard relevant to that particular Land Use.
- b. The overall form of the construction
- c. The height of the buildings if not prescribed in the Planning Standards for the particular Land Use
- d. The materials used in the facing or construction of buildings on the land
- e. The colour of any or all; the buildings, the doors, windows and roofs of the building constructed
- f. Requirements to preserve existing trees
- g. Requirements for the preservation of existing structures
- h. Requirements for landscaping or tree planting
- i. Sanitation requirements for the all developments within a designated area.
- j. Environmental protection requirements
- k. Any other matters pertaining to the management of the development.

In addition the Local Plan should include

- a. All roads and footpaths
- b. Land for parking
- c. Sewage networks for surface water, grey water and effluent, as relevant Drainage networks including local collectors and main lines, and where relevant pumping stations
- d. Drinking water and electricity, networks including main distribution network and reticulation network
- e. Radio Telecommunication masts and land for that use

Local Plans should also include comprehensive details of costs, phasing and sources of finance to implement the plans for infrastructure and other legally required facilities such as schools and clinics..

3 The Preparation of the Local Plan

3.1 Initiation of Preparation

Statutory Planning Committee shall on the basis of the law; and any such regulations or guidelines made by the Authority prepare or cause a Local Plan to be prepared for a specific area within its jurisdiction within the time frame specified in the regulations or by the Authority. This shall be done in consultation with the Land Use Planning Department and in line with the Structure Plan. Once initiated the preparation of Local Plans shall be funded and prepared by any of the following categories whose interest shall be to guarantee the implementation of the proposals made in the Structure Plan on a day to day basis; to demarcate land for sale; actually develop land among others:

1. District Assemblies
2. District Physical Planning Department
3. Land owners
4. Central Government
5. Any group of persons whose interest is directly affected by the presence or absence of a Local Plan.

3.2 Persons/Bodies Authorized to Prepare and Approve Local Plans

Persons suitably qualified and who hold appropriate academic and professional membership certificates from their professional bodies (in the case of the actual Local Plan preparation: - settlement or urban planners; and, for the preparation of the base maps: - surveyors or trained GIS specialist) shall be qualified to prepare Local Plans.

Local Plans can be prepared by:

1. A planning team consisting of staff of the Land Use Planning Department, the Engineers Department and the Development Planning Coordinating Unit;
2. Consultants engaged by the Assembly,
3. Land owners or
4. Estate developers.

If the work is outsourced to consultants, the contracts will be subject to Ghanaian Procurement Law and the Physical Planning Department of the Assembly will take the lead in preparing the Terms of Reference and the RFP, which will include information on the system of evaluating the bids.

The TOR shall state clearly the boundary of the sector where the Local Plan is to be prepared, nature of consultation to be carried out, suggested facilities, infrastructure, utilities and services to be incorporated in the plan as well as areas to be protected because of their cultural, religious and historical importance. The TOR shall also state clearly the number of reports and maps to be presented by the consultant. This shall not however prevent the consultant from being ingenious and creative within the confines of the requirements of the Structure Plan for the area. The Physical Planning Department shall evaluate the work done by the consultants and with the Technical Sub Committee recommend to the Statutory Planning Committee of the Assembly any changes required, additional information to be provided and ultimately the acceptance or rejection of the Plan. The Plan shall be approved by the Statutory Planning Committee on behalf of the Assembly.

3.3 Procedure for Preparing Local Plans

The following process, as a minimum, shall be followed, in the preparation of Local Plans:

All local plans shall be prepared based on current, standard and approved geo-referenced maps, line maps, and orthophotos or satellite images with a scale of 1:2,500 or larger.

1. Reconnaissance Survey

Reconnaissance survey shall be conducted of the area to enable those preparing the plan first hand information on the Local Plan area with regards to the terrain and physical problems in the area;

2. First Stakeholder Consultation

This first stakeholder consultation shall be held to sensitize the public on the essence of planning and to solicit their support in the activity. It shall also be used to obtain indigenous local knowledge from the chiefs/traditional rulers and landlords (land owners) and any other relevant information from other parties.;

3. Updating of maps and Site analysis

The base map of the area shall be updated by a competent surveyor(s) using GPS technology indicating existing structures, land ownership boundaries, roads and bridges, drainage, water

bodies and areas with substantial tree coverage, with other maps (layers) showing contour lines of 1 metre elevation among others;

4. Social survey of existing and or identified target population

This will provide a profile of the existing beneficiaries including traditional settlements within the plan area and help clarify their aspirations, including their needs and their priorities for the proposed development..

5. Analysis of the socio-economic and land use data

The socio-economic and land use data gathered from the baseline study shall be analyzed in line with the broad proposals made in the Structure Plan for the area including relevant zoning regulations and planning requirements. All of these findings will be fed into the design of the Local Plan;

6. Generation of alternatives to ordering land uses in the local plan area, and second Stakeholder Consultation

7. Schematic designs of the alternative ways of allocating land uses in the local area, including information on the cost implications where relevant, shall be prepared, and subject to stakeholder consultation at a second stakeholder consultation **Draft Local Plan and Report and Implementation Plan**

A draft Local Plan and a draft report that gives a background to the Local Plan area shall then be prepared which : describes the area in terms of its physical characteristics; states the requirements from the Structure Plan for the area with respect to uses and zoning regulations; reports on the slope and site analysis done; justifies the ordering of land uses, zoning regulations and planning standards applicable to the area. At the same time an implementation plan shall be prepared that provides, where necessary, the costs of each component of the development, the identified sources for funding the development, and, the future on-going operation and maintenance costs where they shall remain the responsibility of the developer, including all the necessary institutional arrangements for implementation. All this will be put in terms of the phasing of the work to be done Funds will begin to be mobilised during this period.

8. Third Public Stakeholder Consultation

9. The draft Local Plan and the content of the draft report shall be discussed at a third Public Hearing. Comments and views expressed shall be discussed and fed into the process through adjustments and improvement of the plan. The occasion shall also be used to educate stakeholders on their responsibility so far as implementation of the Local Plan is concerned; **Notice of availability for inspection, placement of Local Plan in Public Data Room and mobilisation of funds for Plan implementation**

Notice shall be issued for the community, stakeholders and all interested Departments of the Assembly to review and make comments on the draft Local Plan. It shall lie open for inspection in the Public Data Room of the District Assembly for not less than sixty (60) days from the date of the Notice. Comments from the general public and other stakeholders should be sent to the Physical Planning Department .

10. Final Plan and Report and the Signing of the plans

Comments and concerns raised within this period shall be taken on board or else the plan shall be finalised, approved and signed, implemented and the implementation process monitored and then evaluated.

3.4 Period of Preparation of Local Plans

An indicative guide to the time required to prepare Local Plans, as shown below, suggests that it should take a maximum eight months (30 weeks) including 8 weeks placement in Public Data Room. This shall allow the Land Use Planning Department to do all consultations needed and to get a budget approved by the Assembly to implement the plan.

1. Reconnaissance Survey- *One (1) week*
2. First Stakeholder Consultation *One (1) week*
3. Updating of maps and site analysis - *Two (2) weeks*
4. Data collection - *Four (4) weeks*
5. Analysis of the socio-economic and land use data – *Four (4) weeks*
6. Generation of alternatives to ordering land uses in the local plan area and second Stakeholder Consultation - *Four (4) weeks*
7. Draft Local Plan and Report- and mobilisation of funds for Plan implementation *Four (4) weeks*
8. Third Public Hearing - *One (1) week*
9. Placement of Local Plan in Public Data Room – *Eight (8) week*
10. Final Plan and Report and the Signing of the plans - *One (1) week*

3.5 Stakeholder Consultation

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. Achieving this will require that simplified and interactive techniques such as Participatory Learning Actions be employed. Participation shall however not mean that the technical aspects of the plan preparation process that demands technical competence be sacrificed in the interest of involvement. Even as this good balance is sought, the following category of stakeholders shall mandatorily be involved in the planning process.. They include:

1. The Assembly Executive Committee
2. All Sub Committees
3. All Assemblymen
- 4.
5. Members of the Statutory Planning Committee
6. Heads of Technical Departments of the Assembly including the Budget Office
7. Survey and Mapping Division of the Lands Commission
8. Land Title Registrar of the Lands Commission
9. Identifiable interest groups, including developers, land owners and users in the plan area and, in the case of small subdivision plans, the residents within the broader community who might be affected by the proposed development
10. Chiefs/Elders/Traditional Rulers
11. Representatives of Utility Providers

3.5.1 Stages and methods of Consultation

The Local Plan requires a minimum of four rounds of consultation. These are at the following stages|:

- a. Preliminary Planning Stage
- b. Draft Plan including proposals for phasing of Plan Report Stage
- c. Final Plan and Report Stage

In all three stages, adequate notice must be given to the general public to make meaningful inputs or, if published in the newspaper or exhibited in the Assembly Offices and the Public Data Room. The stakeholders will be consulted and involved in the planning process through some or all of the following:

1. One-on -one contact using interview guides and questionnaires;
2. Public notices in newspapers;
3. Mass media (radio, television) and internet;
4. Newsletter,
5. Fliers, in particular, to encourage attendance at meetings;
6. Public Hearings and group discussions;
7. Community Meetings/Consultations;
8. Conferences, Seminars, Workshops; and
9. Placement of documents in the Public Data Room.

3.5.2 Reports on Stakeholder Consultation

Reports on the public consultation process will be published and summarised in the local media. Full copies of the outcome should be made available at the offices of the MMDA, in their Public Data Rooms. The reports should identify how many responses were received and where from and the weight of opinion expressed, and will form an annex to the Local Plan.

4 Format of the Local Plan

4.1 Report

The report that accompanies the Local Plan shall be in two parts, namely the main report and the appendices and other attachments.

Volume 1

Executive Summary

Chapter 1

General introduction

- Introduction
- Objectives of the Local Plan in context of Structure Plan
- Content of the Local Plan

Chapter 2

Description of the Local Plan area

- Socio-economic characteristics of existing population and projected growth
- Land ownership and existing development
- Existing land or approved uses and significant features

- Relief and drainage
- Geology and soils
- Vegetation etc

Chapter 3

The legal and regulatory framework for the Local Plan area

- Relationship between Local Plan area and the structure plan
- Opportunities and constraints to the development of the site as provided by the structure plan
- Planning standards and zoning regulation applicable to the area from the structure plan

Chapter 4

Planning, allocation and distribution of land uses in the Local Plan area

- Site analysis
- Development options
- Preferred allocation and distribution of land uses
- On-site infrastructure requirements
- Public facilities and open space
- Landscaping and visual issues

Chapter 5

Environmental Impact Analysis and Environmental Impact Amelioration Plan

- Environmental impact analysis
- Environmental impact amelioration plan

Chapter 6

Zoning regulation and planning standards

- Area specific proposed zoning regulations and standards applicable to the area

Chapter 7

Implementation Plan

- Schedule of actions and activities required to implement the Plan with timetable and budget and sources of funds.

Institutional arrangements for implementation including the period for review of the Local Plan.

Chapter 8

Monitoring and Evaluation

Monitoring and Evaluation of the Local Plan

Volume 2

Appendices and Attachments

1. Summary of survey data
2. Reports on Stakeholder consultations,

Map information to be included in the report

Map information to be included in the report should include the following

1. Location map
2. Analysis of existing land uses and conditions
3. Analysis of proposed interventions
4. Proposed Local Plan

5. Utilities, services and infrastructure
6. Any other special maps, plans and sketches to illustrate issues
7. Phasing plan

4.2 Maps

4.2.1 Paper Size

In the longer term, all plans will be digitised. Where this is not yet possible, the paper size of the planning scheme shall not be bigger than A0 paper. The paper size should be uniform

4.2.2 The Legend

The legend shall show all the land uses both existing and proposed in the plan. It shall indicate road types and lanes, utility lines, boundary of scheme, approval seal and date, signature places and date, one acre and one hectare box, representative scale and linear scale. The name tag box shall indicate the District, Region, Department, name of the scheme, number of the scheme, authors/professions, drafting team, District Head and Regional Head. Where the scheme is prepared by Consultants, their name shall be indicated in the name box.

4.2.3 Presentation and scale

The Local Plan shall be prepared on a scale of 1:2500, or at a larger scale if appropriate. The presentation of the local plan shall indicate the boundary of the planning area. Areas adjoining the planning area shall be shown in broken lines. The names of these adjoining areas must be written in the areas. All plots in the scheme must be numbered and all roads must also be named according to prescribed format. The plan must also show the north point and grid lines.

4.2.4 Key Plan

In all cases a key plan shall be provided. The key plan shall indicate the location of the planning area in the wider context on a scale that might depend on the area for which the Local Plan is being prepared. This shall be place in the right top corner of the sheet.

5 Approval of Local Plans and appeals

Preliminary approval of Local Plans shall be by the Technical Sub-Committee of the Statutory Planning Committee which will have the following responsibilities:

1. Plan preparation, coordination, and harmonization
2. Development Control
3. Acquisition and protection of public lands
4. Protection of rights of way

The Technical Sub-committee shall forward the Local Plan to the Statutory Planning Committee which will lay it before the Assembly for final approval. The approved Local Plans shall be signed by the Chairman and Secretary of the Statutory Planning Committee after which the plan shall be processed for gazetting. Statutory departments and agencies shall keep copies of such approved and gazetted plans.

Appeals can be made against the Local Plan on a limited number of grounds:

- i. The general public was not adequately consulted
- ii. The Local Plan is not in conformity with the Structure Plan and the District SDF
- iii. The Local Plan ignores or takes inadequate cognizance of statutorily protected areas
- iv. The Local Plan ignores or takes inadequate cognizance of policy affecting specific land uses (e.g. agricultural priority areas).

The appeal for a Local Plan is made to the Regional Spatial Planning Committee, on matters of fact. Appeals on matters of law can go to the Courts

6 Review of the Local Plan

The Local Plan has a validity of up to five years, dependent on the scale of the development proposed and will be subject to review and revision after that period. If not implemented within that period, the Assembly shall review the plan. In the case where the infrastructure defining the access and circulation to and within the Local Plan area has not been implemented, the Assembly can decide that the Plan is no longer valid and the Local Plan will need to be reviewed and re-submitted for approval.. In the case of the areas where the required infrastructure is not complete but there are applicants that have been granted individual development permits, the review of the plans will need to take this into account. However, before the reviewed plan is approved, no further individual permits will be given for development within the Local Plan area. If the development permit has expired and the building for which it was granted is less than 25% complete, the review of the plan is not obliged to take this into account. If there has been no change in the Structure Plan zoning ordinances affecting the Local Plan area, the Assembly may grant an extension of a maximum of five years may be given for the realization of plan. In cases where the plan is no longer considered relevant to meeting the needs of the community or where planning standards or zoning regulations applicable to the area have been changed, a new Local Plan which conforms to the new ordinances, will be required. No compensation will be paid to the applicant in such cases where the expiration date of the original application has been exceeded.

7 Implementation of the Local Plan

7.1 Introduction

Plan implementation shall be linked to plan preparation. Planning is a sequential prescription of measures to be taken in all areas which are affected. The same applies to the implementation: prescribed negotiation and co-ordination steps are to be carried out in a certain sequence. Successful implementation depends on three key factors: effective management of the process, the involvement of stakeholders and in particular the land owners and those with land use rights within the plan area, and the provision of adequate funds to cover costs of site development and in the longer term, the operations and management of the area. Implementation, therefore, requires mechanisms to link plans to institutional arrangements, consultation and public and private budgeting. Local implementation mechanisms are an important tool for ensuring the decentralized, participatory and concerted implementation of the planned measures.

7.2 Plan Implementation procedure

The following procedures and measures should be put in place to implement the plan:

1. The Statutory Planning Committee shall be used as vehicle for the coordination and making decisions regarding the implementation of the land use plan and the annual budget of the Assembly, as it affects the plan.
2. All technical departments and Chairmen of Sub metros and Urban Councils shall have copies of the approved plan. This would enable them to assist the Statutory Planning Committee to monitor the developments taking place in their area. They shall also make sure that the developments conform to the development plan.
3. A plan implementation committee should be set up, which will empower the District Planning Authority to inspect and enforce land use planning regulations or outsource where necessary these functions to be performed under the supervision of the Physical Planning Department.
4. All planning applications for development within the Local Plan Area must conform with the approved Local Plan and may only diverge if the Change of Use procedures are fully satisfied.
5. Where possible a project management tool shall be applied to all work schedules

In so far as these are directly under the control of the Assembly, sector budgets are proposed, including multiple year investment requirements where necessary. Where the private sector is identified as the main actor in the development, often complementary activities and assistance by the Assembly are identified. As part of the implementation plan, the development permit may be made conditional on the developer funding part or all of the development of complementary infrastructure and linking the site to the main infrastructure.

7.3 Monitoring Procedure

The implementation of the Local Plan needs to be monitored, to ensure that the plan is implemented as proposed in the phasing plan of the local Structure Plan.

The following process and preconditions shall be established for Monitoring:

1. The availability of an approved Local Plan (land use plan including the zoning regulations).
2. The implementation plan which identifies institutional arrangements and competence; funding; and timing of the stages of development;
3. The list of elements to be monitored, their indicators, as well as the details of data collection (when, how often by whom, quality, quantity, analysis, presentation) for each A logical framework may be applied at this level.
4. A baseline survey for each element at the beginning of plan implementation as a reference for change made by the plan (this may include data on beneficiary population, present housing conditions and access to public utilities).
5. Monitoring will cover not only progress of development but will also monitor changes in the indicators identified in the baseline survey and other key indicators such as number of units developed with properly processed permits and numbers of cases where zoning regulations have been breached .

7.4 Evaluation of Local Plans

The evaluation of the Local Plan will be based on how well the plan has managed to achieve its objectives and those of the Structure Plan and the MTDP (including the SDF). It should consider both the successes and failures of the strategies proposed to achieve the desired spatial development. The main function of the Evaluation is to assess the appropriateness of the

plan to accommodate the projected population and land uses for the area. It is, therefore, a vital step in the revision of the Structure Plan.