



## Land use controls and residential land values in the Offinso South municipality, Ghana

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### ABSTRACT

Land use controls may have positive, negative or neutral impact on urban land values. The Offinso South Municipality (OSM) employs conventional zoning in its land management practices. This article investigates the land use control regime in and its impact on land values and the living standards of residents of the municipality. Empirical data were obtained from physical developers in the municipality via self-administered questionnaire. It also collected data from occupiers of amenity lands via guided interviews. It finds that there exist large scale violations of planning controls in the municipality. It also finds that amenity lands are generally encroached upon sometimes with connivance of officials from the planning outfit. It suggests that the planning authority should dialogue with developers to ensure voluntary compliance. The planning authority should also build its capacity to enforce its land use plan.

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### Introduction

An important issue confronting all nations is an efficient management of their land stocks. Equitable access to land, slum prevention, orderly development, and avoidance of negative externalities are central to land management practices in the urban environment. This may be achieved through a free market allocation of urban land. The free market system, however, may sometimes fail. Some form of public measure is therefore necessary to control urban land allocation and development decisions. Public interventions in urban land development decisions have generally employed land use controls. It is argued that land use controls lead to better living environment, accommodates both the present and the future requirement of land, reconcile competing claims between users and uses for the right to use land, deal with sites underdevelopment, and ensures compatible adjoining land uses. Land use controls enable nations to maximize both social and economic gains from its urban land stock. It enables the planning authority to intervene in the urban land development process with the aim of improving the wellbeing of urban residents. Land use control impacts on the physical organization of space, and the spatial distribution of people and activities in an urban area (Halleux et al., 2012). This helps in creating a safer and cleaner living environment and thus enhance the wellbeing of urban inhabitants.

Incompatible land uses will have negative consequences for the environment and the health needs of urban dwellers. It may create nuisance such as noise and air pollution and thus impacts negatively on the living environment. For instance, air and noise pollution will be serious nuisances in residential areas where factories and workshops are intermingled with the residential uses. Land use control is therefore a critical decider of discomfort, conflict, convenience, safety and harmony in an urban centre (Boamah et al., 2012). It influences urban land values and the welfare of urban residents. For example, a land use control that protect environmental amenities or qualities; open space and farmland; groundwater availability and quality; provide amenities such as schools and transport infrastructure; or control nuisance such as noise, congestion, and pollution will enhance the welfare of urban residents and also improve on land values. Land use planning has potential welfare, distributional and housing affordability effects through its impact on land values (Grout et al., 2011). It may cause reduction in housing supply and thereby worsen housing affordability problems facing nations (Glaeser and Gyourko, 2005; Quigley and Raphael, 2005). For instance, a land use legislation that limits the supply of developable land and leads to an upsurge in house prices relative to the income levels of urban dwellers may lead to unauthorized development and plummet land values. This is even more particular in a country like Ghana where housing development is dominated by the informal sector and where housing inadequacy is a major problem confronting urban dwellers. Land use regulations, therefore have positive or negative impact on the standard of living of the residents of a community partly through its impacts on land values.

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Ghana has instituted a land use control regime in response to the widespread opinion that unregulated land development contributes to urban problems such as haphazard development, neighbourhood blight, and environmental degradation. Land use control in Ghana is conducted via the Town and Country Planning Ordinance (Cap 84), 1945 as amended by the Town and Country Planning Act, 1958; Town and Country Planning Regulations, 1959; the Local Government Act (Act 462), 1993; and the Building code (L.I. 1630), 1996. Section 46(1) of Act 462 establishes the Metropolitan–Municipal–District Assemblies (MMDA) as the planning authorities in their areas of jurisdiction. The main instruments for land use controls in recent times are the L.I. 1630 and Act 462. The Cap 84 which was passed in the colonial era is used less frequently by planning officials. They employ the Cap 84 when in conflict with developers since it contains oppressive provisions; it does not create any room for dialogue between planning officials and developers. Planning officials therefore religiously safeguard the Cap 84. These legislations give significant powers to the planning authorities in the discharge of their functions. No physical development can take place unless with written permission by the planning authority (Section 49(1) of Act 462). All developments must cease once an area is declared a planning district (Section 4(1) of Cap 84). The form of a development permit and the guidelines for processing development permit applications are contained in Section 7(1) of the L.I. 1630.

Despite the existence of a land use regulation framework, there is a huge muddle in the Ghanaian built environment. Haphazard development, inaccessible neighbourhoods and poor living environments are common scenes in Ghanaian urban centres. This study investigates the system of land use controls in Ghana using the Offinso South Municipality (OSM) as a study area. It examines the compliance levels to land use legislations in the OSM. It investigates the impact of the land use control on land values in the municipality. There are no known prior studies that have investigated land use controls in the OSM. This study contributes in filling this literature gap.

### The study area

The OSM is located in the north-western part of the Ashanti Region of Ghana. The OSM had a total land area of 1350 sq. km, a population of 138,676 persons, annual population growth of 5% and a population density of 103 persons per sq. km in 2000 (Ghana Statistical Service (GSS), 2005). The autochthons in the municipality are the Asantes. The OSM is cosmopolitan. Inaccessible neighbourhoods, dilapidated properties and poor drainage infrastructure characterize the municipality. Land in the municipality is communally owned, it is held in trust for all the indigenes of the Offinso Traditional Area (OTA) by the Offinso Traditional Council (OTC). The Offinsohene (Offinso Paramount Chief) through his sub-chiefs make land allocations for development.

### Methodology

The OSM was divided into north-east, north-west, south-east, and south-west clusters for data garnering purposes. The number of neighbourhoods for the clusters ranged from 4 for the north-western cluster to 6 for the south-eastern cluster. Balloting was therefore employed to select two neighbourhoods from each of the clusters to help reduce bias in the selection of the study neighbourhoods. A total of eight neighbourhoods in the OSM were selected for the study. Fifteen housing units were selected from each of the selected neighbourhoods via purposive sampling technique. To qualify for inclusion, a housing unit should have been constructed after 1996 (after the passage of the L.I. 1630). All the selected

properties were thus constructed after the enactment of the existing regulatory framework for land use controls in the country. This controlled for any potential bias towards the pre-legislation properties. One hundred and twenty housing units were sampled for the study. The unit of enquiry were the property owners. Self-administered questionnaires were employed to obtain data from the property owners. Respondents who were illiterate were assisted in completing the questionnaires. Fifteen encroachers on amenity lands were purposively selected and guided interviews employed to gather data from them. Twenty opinion leaders consisting of assembly members (elected local government representatives) and senior citizens (community elders) of the various neighbourhoods were purposively sampled for data garnering. The respondents were purposively selected since they were the ones capable of providing the data sought by the author. The respondents age group are 60+ (49%), 40–59 (41.3%) and 27–39 (9.7%) years. Also, the respondents who had formal and no formal education; were actively working and not working; and were males and females are 75% and 25%; 78.8% and 21.2%; and 79.4% and 20.6% respectively. The huge proportion of males amongst the respondents is a reflection of limited property ownership and political involvement by females in the municipality. All the community elders are males by custom.

### Land use regulations and land values

Land use control may have positive, negative or neutral impact on land values. A land use regulation through its effect on accessibility, complementarity of land uses, and the supply of land to competing uses and users can have an increasing or decreasing effect on overall land values or lead to the redistribution of land values. For instance, the total effect of a land use regulation may be negative or zero if the regulation is overly burdensome; if landowners under value its amenity benefits; or when the regulatory burdens exceed its benefits. Land use control affects aggregate land values and for that matter allocative efficiency (Harvey and Jowsey, 2004). It impacts on land prices, neighbourhood characteristics, housing quality, and government services. Land use planning may alter the nature of response of land values and residential densities to changes in the magnitude of exogenous parameters (Pasha, 1995). It influences land values irrespective of the presence of externalities. However, the adjustment of land values to accommodate the effects of land use regulations is a gradual process.

An efficient land use regulation will lead to a surge in overall land values. Land use regulations that restrict the growth of cities will raise the value of undeveloped land in the city as residents will be willing to pay a premium to live in a smaller city. A land use regulation will for instance raise future rents for an already developed land and thus increase land values. Similarly, the separation of businesses and residential areas may improve on the market allocation of land and thus enhance residential land values. Also, the insurance that land use control provides against future intrusions of conflicting land uses in residential areas is capitalized into land values (McMillen and McDonald, 2002). Land use control may also lead to a fall in overall urban land values or allocative inefficiency. It will lead to allocative inefficiency of land if it merely redistributes land values without any positive net effect on overall land values (Lean and Goodall, 1966). An arbitrary regulation will cause overall land values to decrease in a community. For example, a land use control regime that is indiscreet, not responsive to changing taste and preferences, and inconsistent with the socio-economic state of the urban residents may facilitate haphazard development as opposed to controlling it.

Land use regulations impact on land values via their restriction, scarcity and amenity effects. The relative strength of these effects

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