Assessing Impacts of Development Control Standards on Informal Housing in Nigeria

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Abstract: The development control standards enforced in the cities of Nigeria significantly affect housing development. It is responsible for delays in securing residential development rights, affects housing supply for low income groups and enthrones toilsome standards which tend to encourage informal housing development. There are neither policy initiatives nor visible efforts initiated so far by all stakeholders to address this problem. This paper attempts an evaluation of the effects of the enforcement of development control standards on informal housing development on cities in Nigeria. A total of 240 respondents and four Municipal Planning Authorities were randomly sampled and interviewed in selected four cities in Nigeria. The result suggests that development control standards as enforced by planning institutions increases the cost of housing development, stifles efficient housing delivery and encourages low income informal housing development in urban areas. Findings further showed that land use planning condone corruption with government officials and the privileged rich individuals gaining more access to development rights in residential housing delivery. The paper advocates for government's legalization of the informal housing by reviewing the exorbitant approval cost associated with housing development for the low income groups and provision of infrastructural facilities and services to improve the environmental conditions of these settlements. Besides, government should declare a state of emergency for the low income residential housing need and develop a blue print for mass housing the low income in partnership with the private sector to ease the bureaucracy associated with granting development rights to the low income group on residential housing.
Physical developments standards, Low-income, Government institutions, Non-conventional housing, Residential building plans (Keywords)

I.   Introduction

The Nigerian housing situation like most other developing countries had suffered the neglect of strict enforcement of appropriate government policy, the political will and the necessary commitment. This has led to much confusion and even the squandering of resources most especially on direct government construction of houses. The housing problem is enormous when evaluated against the background of the expanding population and urbanization. The effects of urbanization in the cities that have combined with the above problems make the level of resources available for housing development look infinitesimal.

The considerable importance of housing to the overall socio-economic development of the country cannot be over emphasized, yet successive governments response to general housing provision in Nigeria especially for the low income have more political pronouncement than physical commitment. These developments have continued to aggravate the enormity of housing deficit in the country. A recent study of housing situation by Moore, (2019) reports that Nigeria's current housing deficit as at 2018 is estimated at a staging 20 million units. But the enormities of these housing shortages are constrained by land use planning bureaucracy, which translates to enforcement of development control standards. Arimah and Adeagbo (2000) in their study of Ibadan elucidates that although the level of awareness of enforcement of development control standards for residential housing development is high, they are generally disregarded. They listed the various contravention of development control standards among the three strata of income in the study area to include 83% for middle income whose contravention is within various aspect of planning legislation, 40% of residential units complied with the regulation of planning set backs and 15% complied with plot coverage regulations. Similar illegal developments occur in the north and eastern urban areas across Nigeria (Sanusi, 2006; Egbu et al 2007). Most local planning institutions have demolished illegal structures for breaches of development control standards. Most of the demolitions that took place in Lagos, Calabar, Port Harcourt and Abuja were associated with non-approval of building plans arising from the inability of developers to pay levies and assessment charges as stipulated by these planning institutions, non-observation of setbacks, and the non-compliance to other laid down development control standards in residential design. The constraints imposed on housing development in urban areas are likely to determine the quantity of urban housing, the nature of houses produced and the incentives and behavioural pattern of urban property developers. In view of the above, this paper intends to investigate how enforcement of development control standards directly influenced development of non-conventional housing in Nigerian cities.

II.   Literature Review

There are many research works which had been conducted to assess effects of development control standards on urban land development for residential houses. Although their studies were from both the developed and developing countries, they identify a number of problems affecting the smooth delivery of residential housing for low income group. These include the nature of building materials used, set-backs, heights, plot-area-ratios etc. (Mba, 2004; Aluko, 2000). Their assessment on standards of housing development was basically on the attainment of good ventilation and observance of site planning measures. The common element of all the assessment in development control standards is the process of obtaining development permit or plan approval and to build according to zoning regulations in order to ensure harmonious physical development. Development control also has effects

to strengthen land use management (NORAD, 1996); encourage developers to invest their money and constrain the development drive of investors (Sanusi, 2006). Similarly, studies on land use planning control on residential housing in UK, South Korea, and USA, (Bramley,1998; Hannah et al, 1993; and Mayer and Somerville,2000) noted that the general planning policies and enforcement of development control tend to reduce residential housing supply in urban areas, increase the price value of residential houses and significantly discourage low income earners to fully participate in construction of urban housing. In the same vein, a number of studies in West Africa had been carried out to assess the impact of development control on residential housing. Their studies were on demolition and contravention of buildings (Sanusi, 2006), resolution of conflict among competing interest on land (Solle, 1994); satisfaction of social and economic needs of the citizens (Kadiri, 1995) and provision of roads, open spaces and infrastructure (Oyesiku, 1998). None of these studies however applied their assessment of development control on residential housing to non-conventional housing of low income groups.

In many published works on housing, authors have coined different names in describing houses, mostly those without government approvals. Drakakis-smith (1981) calls them "non-conventional housing, and (Huchzermeyer, 2002; K'Akamu and Olima, 2007) classify them as informal and spontaneous housing". These classes of houses are of a wide variety, ranging from structures that are constructed with leaves, and cardboard papers to blocks of solid "hybrid" types, most of which are standard with facilities. Apparently, studies show that non-conventional housing are houses built by the low income in the urban areas. The classification of these houses extends to the settlements in which these houses are situated. Thus, view of the above, two important questions are framed for this study. What causes the development of these houses? How can government integrate this class of housing to form part of an efficient and effective housing delivery strategy in the country? The answers to these questions form the basis of this study and the subsequent illustrations which follow were to amplify the consequences of rapid urbanization on infrastructural facilities especially in developing countries.

Development control standards have been in use in Nigeria in many areas of general land use planning as well as in specific areas of housing and other forms of physical development planning. They are structured on received planning legislation and practices from Britain. The development controls standards are government – determined and are usually in form of layout and sub-division development regulation as well as minimum infrastructure specifications stipulating acceptable requirements for physical development. Besides the existing building codes are not flexible on the types of building materials that can be approved for low income housing. The implication of this is that development control standards constrain the low income groups to housing development in urban areas and force them to urban fringes where they put up informal residential houses and create slums.

Similarly, in government responses, informal housing development was seen as a violation of institutional regulations and as such should be demolished. Government policies towards the low income housing development were inimical as such developments are regarded as not adhering to the regulatory standards enforceable by the land use planning institutions. Their subjective assessment translates into action and influences government behavior in the provision of facilities and social services where these settlements are situated. Thus administrative decisions are often not based on an objective assessment of facts, but in accordance with the image which the government holds of such settlement. This to a large extend is inferred from the action of government in the preparation of master plans and development plans where their structures are static landuse exercises influenced unduly by the experience of the developed countries. The prepared master plans fail to recognize the demand and pressure from informal low income housing accommodation which can bridge the enormous deficits on residential housing in the country.

According to Henderson, (2002) rapid population growth in many developing countries have been accompanied by excessive high level of concentration of the urban population in very large cities with very low level of urban infrastructural investments. The fast rate of population growth and the rapid process of urbanization have been identified by the (UNCHS, 2003) as one of the major reasons why the housing deficit in the developing countries is getting worse annually. This is so because an estimated 72% of the urban population of Africa live in slums, while Asia is 43%; Pacific and Latin America is 32% and Middle East and Northern Africa is 30%. Thus available residential houses have failed to match the requirements of these countries. Paradoxically, most of these countries insist on permitting only houses that are perceived by their government to be of high quality. Although urban areas suffer acute housing shortages, successive governments refuse to initiate policies that would integrate informal housing development for the low income group.

III.   Methodology

In order to understand the procedure for assessing impacts of development control standards on informal housing development in Nigeria, the study adopted a research design approach which involved a multi level random sampling process in collecting the primary data. Four cities were chosen based on geographical representation and coverage of Nigeria. Abuja was chosen in the North of Nigeria, Calabar in the South, Enugu, in the East and Lagos in the West. To identify the areas where informal houses were developed, a perimeter survey was conducted in each of the four cities. In these cities, three neighborhoods were randomly selected making a total of twelve neighborhoods. From each neighborhoods, a sampling interval of five houses took place. A total of two hundred and forty structured questionnaires were distributed to heads of households. In addition, interview processes were granted to Municipal planning Authorities (MPAs) officials who enforce development control. Observations on process of plan approval, buildings accessibility, facilities, drainage easements, building materials, and community services were assessed to identify how residential housing development comply with development control standards. Table 1 below shows the detail of sampled respondents.

Table 1: Distributed Questionnaires to Respondents in the four cities

Neighborhood	Respondents	% Respondents
Abuja – Kuje	25	8.3
Abaji	16	4.2
Bwari	19	5.0
Calabar – Mbukpa	20	10.4

Ikot Effanga	10	6.7
Henshaw Town	17	7.9
Enugu - New Haven	17	7.1
Udi Siding	13	5.4
Ogui Layout	10	4.2
Lagos – Ojo	40	16.7
Epe	30	12.5
Ikorodu	28	11.6
Total	**240**	**100**

Source: Field Survey: September,2021

The analyses of data involve frequency analysis, cross tabulation of four cities against the responses to all questions and derivation there from of some development control standard for each neighborhood. The Pearson correlation (r) was used to measure the strength of a linear relationship. In addition the computer-based software SPSS was used to examine the relationship between plan submitted and the number approved and the relationship between the possession of development permit and the perception of development control by the low income group.

IV.   Result from the Study

The study reveals that for an applicant to meet the conditions for residential housing development and the standard specified by government planning legislation to secure development rights in Nigeria, an application must be accompanied by the following indices: Survey plan, architectural drawings, electrical and mechanical drawings, site analysis plan, building plan permit; legal agreement, payment of official fees, certificate of occupancy and tax clearance etc. Thus any application that is not accompanied by the above indices does not receive approval. The study reveals that among the twelve neighborhoods in the sampled four cities, nine common development control indices were used as a standard for the approval of housing development. These indices have earlier been listed above. The response requirements from respondents were to indicate 'yes' or 'no". These refer to the submission of application for house development accompanied by the stated requirements as shown in table 2.

This table shows that within the neighbourhoods it is observed that more than 90% of the applications submitted for housing development have architectural drawings, survey plans, electrical and mechanical drawings in Abuja and Lagos. While Calabar and Enugu had an average of 80% variations of the indices mentioned above. Similarly in Abuja and Lagos, the neighbourhoods of Abaji, Bwari, Ojo and Epe had 70% of the development approved. However, in Calabar and Enugu, those with building plan permit have a low range of 50%. This pattern runs through the neighbourhoods of the four cities with respect to the remaining five indices. It is important to note that indices like site analysis plan, land payment agreement, payment of government fees, and certificate of occupancy and tax clearance do not add up to 100% as in table 2. This is because in the remaining percentage, developers view these indices as not too relevant but only included by the approving authority to extort money from developers.

Table 2: Indices for Approval of Housing Development in Nigerian cities

Neighbourhood location		AD		SP		EMD		SAP		BPP		LBA		POF		CO		TC	
		Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	**No**
Abuja	Kuje	95	05	86	14	84	08	45	55	50	48	60	36	52	40	58	31	20	79
	Abaji	90	10	82	13	85	10	48	51	70	30	58	40	61	31	60	28	47	51
	Bwari	89	11	79	21	90	5	41	51	70	30	59	40	59	35	52	37	58	40
Calabar	Mbukpa	65	35	90	10	25	63	32	62	35	65	46	48	45	49	39	51	40	55
	Ikot Effanga	88	12	93	7	30	45	55	43	29	69	45	50	53	38	42	47	35	61
	Henshaw Town	77	23	80	20	35	60	31	58	30	66	38	54	47	47	45	40	47	50
Enugu	New haven	90	10	75	25	29	53	41	49	33	60	47	50	53	43	47	51	53	38
	Udisiding	75	25	77	23	22	61	53	40	27	67	49	46	38	49	45	49	31	64
	Ogui Layout	87	13	82	18	25	70	67	33	30	68	53	41	47	40	53	38	42	52
Lagos	Ojo	91	9	85	15	60	32	61	37	72	26	55	43	51	41	63	34	58	31
	Epe	92	08	90	10	61	30	58	40	70	26	52	30	49	39	59	31	62	25
	Ikorodu	96	04	76	24	53	35	60	32	52	44	66	32	63	30	52	40	50	40

Note: NL=Neighbourhood Location; AD = Architectural Drawings; SP = Survey Plans; EMD = Electrical & Mechanical Drawings; SAP = Site Analysis Plan; BPP = Building Plan Permit; LBA = Legal Binding Agreement; POF = Payment of Official Fees; CO = Certificate of Occupancy; TC = Tax Clearance

Source: Field Survey: September,2021 To assess the over all compliance of the four cities with respect to maintenance of development control standards to housing development, the indices 'yes' component was scored. Each index for approval of housing development is assign a score which varies from 1-12. The lower the score the more the level of compliance with development control standards for housing development. The assigned scores were summed and ranked as in table 3.

Table 3: Ranked Neighbourhood compliance of Applicants to indices of housing development.

NL	AD	SP	EMD	SAP	BPP	LBA	POF	CO	TC	TOTAL	RANK
Kuje	2	4	3	8	6	2	6	4	12	47	6
Abaji	5	6	2	7	3	4	2	2	6	37	3
Bwari	7	9	1	9	3	3	3	6	2	43	5
Mbukpa	12	2	10	11	7	10	11	12	9	85	11
Ikot Effanga	8	1	8	5	11	11	4	11	10	69	9
Henshaw town	10	8	7	12	9	12	9	9	6	82	10
New Heaven	5	12	9	9	8	9	4	8	4	68	8
Udi Siding	11	10	12	6	12	8	12	9	11	91	12
Ogui Layout	9	6	10	1	9	6	9	5	8	63	7
Ojo	4	5	5	2	0	5	7	1	2	32	1
Epe	3	2	4	4	2	7	8	3	1	34	2
Ikorodu	1	11	6	3	5	1	1	6	5	39	4

Source: Field Survey, September,2021

The table shows that Ojo and Epe in Lagos are ranked first and second, while Abaji in Abuja ranked third in terms of meeting institutional standards for housing development. It is also observed that Henshaw Town, Mbukpa and Udi Siding in Calabar and Enugu respectively are dismally ranked. This shows that although land use planning institution in Nigeria set residential development control standards, most property developers who met the overall conditions are the rich and highly privileged people in society. The low income groups who hardly meet this requirements lack access to housing development.

Table 4 presents the number of applicants who sought for development permits in Abuja and Calabar and those approved.

Table 4: Applications for Plan Approval in Abuja and Calabar.

Location	No of Applications	%	No. Approved	%	Cumulative	Cumulative %
Kuje	25	24.5	13	12.8	38	37.3
Abaji	16	15.7	9	8.8	47	46.1
Bwari	19	18.6	11	10.8	58	56.1
Mbukpa	20	19.6	14	13.7	14	13.7
Ikot Effanga	10	9.8	6	5.9	20	19.6
Henshaw Town	12	11.8	5	4.9	25	24.5
Total	102	100.0	58	56.9		

Source: Field Survey, September,2021

The table above shows that of the 102 (100%) applicants in Abuja and Calabar who sought for development permit 58 (56.9%) were approved while 44 (43.1%) were not. In Abuja, out of 60 (58.8%) applications, only 33 (32.4%) were granted approval while in Calabar of the 42 (41.2%) application 25 (24.6%) met the requirements for approval. Likewise table five Shows applicants seeking for residential development rights in Enugu and Lagos.

Table 5: Applications for Development Permit in Enugu and Lagos.

Location	No of Applications	%	No. Approved	%	Cumulative	Cumulative %
New Haven	17	12.3	10	7.3	10	7.3
Udi Siding	13	9.4	8	5.8	18	13.1
Ogui Layout	10	7.3	6	4.3	24	17.4
Ojo	40	29.0	22	15.9	46	33.3
Epe	30	21.7	18	13.0	64	46.3
Ikorodu	28	20.3	15	10.9	79	57.2
Total	**138**	**100.0**	**79**	**57.2**		

Source: Field Survey; September, 2021

The table shows that in all, 138 respondents applied for permission to carry out housing development out of which 79 (57.2%) applications succeeded. A break down indicate that of the 40 (29%) applications from Enugu, 24 (17.4%) got approval and of the 98 (71%) applications from Lagos, 55 (39.8%) were approved. The remaining 16 (11.6%) from Enugu and 43 (31.2%) from Lagos were rejected and thus the residential development intentions of the applicants were thwarted. This development re-affirms the perception held by many of the respondents expressed in the questionnaires that development control standards are elitist because it favours the highly influential in society and the high income class who no matter the cost involved in residential land development afford the procedures involved. For example, 78.2% of the 240 respondents evaluated development control standards of landuse planning institutions and claimed that it tends to make housing development costly and further encouraged illegal housing development by the low income group, 52.3% believe that the standards required for housing development by planning institutions should be de emphasized because it is bureaucratic and procrastinates both the developer's effort and the period to get plan approval. Similarly 85% claimed that the standards constrain low income group access to land for housing development and contribute to the reduction of housing supply generally and 81.2% said that the standards promotes corruption for the development control enforcers.

Having presented data on the response view of applicants who sought development permit for residential housing, the data of the approved development permit from Abuja, Calabar, Enugu and Lagos were harmonized to assess the cumulative relationship between the magnitude of development applications and the yearly actual approved. This is shown in table 6 below.

Table6: Annual Plans Approved for Residential Housing Development in Nigeria

Location	No of Applications	No. Approved	Cumulative Applications	Cumulative Approved	% App	Cum% Apr
Kuje	25	18	25	18	10.4	7.5
Abaji	16	9	41	27	6.7	3.8
Bwari	19	11	60	38	7.9	4.6
Mbukpa	20	13	80	51	8.3	5.4
Ikot Effanga	10	6	90	57	4.2	2.5
Henshaw Town	12	5	102	62	5.0	2.1
New Haven	17	10	119	72	7.1	4.2
Udi Sidings	13	8	132	80	5.4	3.3
Ogui Layout	10	6	142	86	4.2	2.5
Ojo	40	22	182	108	16.7	9.2
Epe	30	18	212	126	12.5	7.5
Ikorodu	28	15	240	141	11.6	6.2
Total	**240**	**141**	-	-	**100.0**	**58.8**

Source: Field Survey; September, 2021.

The table shows a synthesis of results of respondents in the field survey. Where 141 (58.8%) approval were granted out of 240 applicants who sought for development permit. 99 (41.2%) failed to get development approval. Most of the respondents interviewed explained that their applications failed due to the stringent attachment of including all the indices stated earlier in an application before such application is considered. It is observed that the range of the rejected applications varies proportionately from 2% for the high income to 33% for the medium income to 65% for the low income. 53% of the sampled respondents lamented that given the prevailing conditions in which development rights for the low income group, for legal housing are subjectively impeded by the land-use planning process, this results in development of informal houses.

Discussion of Results

To further assess the effects of development control standards on non-conventional housing development in Nigeria, the indices considered in this study were subjected to multiple regression analysis represented by the equation: $Y = \alpha + b_1 x_1 + b_2 x_2 + b_3 x_3 + \ldots b_9 x_9 + e \ldots$ (1)

Where the dependent variable (y) is the development of residential housing based on fulfilling the conditions for the granting of development permit; the constant α is the regression intercept, the b is the point estimates for the independent variables which are the indices developers must fulfill to obtain development permit and e is the error term for other variables not included in the equation. The data is presented in table 7.

Table 7: Regression Analysis of Indices of Respondents Seeking Development Approval

No	Variables	Beta	Cumulative R^2	F-Ratio	Sig. level
1.	SP	0.384	0.232	6.45	0.01
2.	AD	1.234	0.334	5.17	0.01
3.	EMD	1.180	0.328	4.58	0.01
4.	SAP	1.111	0.333	4.07	0.02
5.	BPP	2.034	0.352	3.51	0.02
6.	LBA	0.322	0.383	2.42	0.02
7.	POF	0.228	0.443	2.50	0.01
8.	CO	0.122	0.448	1.32	0.02
9.	TC	0.132	0.657	1.17	0.03

Source: Field Survey; September,2021

From the table, the significant variables were selected based on F-ratio value of 4.0 or higher indicates a significant relationship in the regression analysis. The independent variables which were found to have significant relationship with getting plan approval (Dependent variable) are: Survey Plan, Architectural Drawings, Electrical and Mechanical Drawings and Site Analysis Plan. The variables together explain R^2 = 65.7% P< 0.05 of the total variance of indices for obtaining building plan approval. Therefore as the total variation of indices for obtaining development permit is not explained in this study, it shows that there are other important explanatory variables which make the 34.3% error term, and which must be explored in future analysis. This study also noted that indices like building plan permit, legal binding Agreement, payment of fees, certificate of occupancy, and Tax clearance have negative correlation coefficients. This indicates that respondents or applicants submitting plans for approval considers those indices as not being important enough to be demanded by land use planning institutions before development permits are granted. The model derived from the study is as presented below: $Y = 1.831 + 0.384x_1 + 1.234x_2 + 1.180x_3 + 1.111x_4 + (-2.034)x_5 + (-0.322)x_6 + (-0.228)x_7 + (-0.122)x_8 + (-0.132)x_9 + e$

The study showed that the ability for a developer in urban areas in Nigeria to get legal development permit, must fulfill the minimum conditions of the above indices.   The adjective 'minimum' as used in this study exclude other latent conditions such as delays in processing plan applications, sundry expenses in conveying planning institution officials for applicant's site inspection, charting fee to the payment of fees for land development. The implication of the above complex and expensive procedure for

housing development is that development control institutions of government complicate the process of securing formal land rights for housing developments most especially for the low income groups. The institutional behavior of government planning agencies subject individual low income groups who cannot stand the exorbitant cost of getting formal land right to engage in informal housing development. This supports the views of White and Allmendinger (2003) that government interventions via planning have a substantial impact on the availability of land for new housing.

The study showed that legal private housing developers in the cities of Nigeria mostly are the high income elites and the affluent in society who can afford the financial cost to secure development permits, while the low income resolve to subtle informal development. The significance of the above study is that development control standards in Nigeria have truly impacted on the development of non-conventional housing.   This is because development control standards distorts the market, restrict the freedom of developers, and by implication, impose additional cost on urban housing development (Egbu et al, 2007)

V. Conclusion and Recommendations

This study have been able to establish that development control standards as enforced by land use planning institutions in Nigeria have negatively impacted on residential housing development. The tools used for demonstrating the effect of planning on housing development has been the indices to be included in the application for development permit. The multiple regression analysis adopted showed that four indices were significant and five were not. This means that most developers cannot meet all the required conditions to get development permit because the conditions are stringent and costly. Not getting a formal development permit has a negative effect on residential housing development and by extension encourage informal housing development by the low-income group. This study is therefore of the view that in as much as land-use planning institutions are established government agencies to enforce development control, the enforcement of these laws should not be punitive but rather corrective and should be tailored towards the prevailing circumstances and characteristics of a given situation in a locality. These can be achieved by government legalizing the non-formal housing by charging the developers of these houses moderate assessment fees and regularizing their development through the provision of amenities and infrastructural facilities . Also government should take low income group housing as an essential social need and not as a revenue yielding avenue for government. The government should update the land use planning instruments of all planning agencies by abolishing the obsolete land planning legislation and replace it with customary laws that elevate the institution of local power of attorney to formal land and development rights; As this will reduce bureaucratic cost for housing development and speed up the process of securing plan approval for residential housing development.

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