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Research Article

Developers' Sources Of Awareness And Indication Of Compliance With Physical Planning Regulations In Southwestern Nigeria.

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Abstract

This study examined the developers' sources of awareness and indication of compliance with physical planning regulations in Southwestern Nigeria. Two types of data were obtained for the study. These are primary and secondary data. The primary data used for the study were generated from field survey through quantitative and qualitative techniques. Lagos and Osun States will be randomly selected from the two planning administration systems in South Western States. This research work therefore utilized 0.5% of the household size in the selected local governments which translates to a sample size of 2,682 persons. Both descriptive statistics and inferential tools were utilised for the study. The findings revealed that 64.3% were aware when seeking building approval while 35.7% stated otherwise; 32.3% were aware through contravention and stop work notices while 67.7% stated otherwise; 41.7% were aware through mass media while 58.3% stated otherwise; 23.8% were aware through building collapse while 76.2% stated otherwise; 47.5% were through outdoor billboard while 52.5% stated otherwise; 41.4% were aware through enlightenment campaign while 58.6% stated otherwise; 40.7% were aware through friends and neigbour while 59.3% stated otherwise; 37.6% were aware through demolition notices while 62.4% stated otherwise; 26.5% were aware through demolition exercise while 73.5% stated otherwise; and 23.2% were aware through conflict resolution while 76.2% stated otherwise. Based on the findings, it can be concluded that stakeholders in physical planning administration were distributed across the offices of the MDAs in Lagos State, Ondo State and Osun State.

Keywords : Physical, Planning, Compliance, Regulations, Administration.

INTRODUCTION

Regularity and spatial order are naturally appealing to humans. The way the physical environment was developed during the palaeolithic and neolithic periods. This is evident in Greece, Rome, America, Russia, Germany, Italy, and Egypt, where physical environment was planned out of social control and religious discipline concomitantly with peace and affluence (Akkerman, 2019). Nigeria is not an exception to this rule, as the physical environment has been ordered from time immemorial, long before colonial rule (Nasidi, 2024). Communal land was vested in such community heads as Obis, Obongs, Obas and Emirs, while family land was vested in family heads whose legal status was that of a trustee (Daramola, 2019). The traditional rulers allocated, re-allocated, and supervised land by their subject and administration and control of the total environment was the joint administrative responsibility of the entire community (Wahab, 2017; Oluwadare, 2012; Maseko, 2016).

It has been proven that the Yoruba tribe in Southwestern Nigeria had a distinctive style of physical environment organisation in the pre-colonial era. A quick glance at the ancient towns reveals that they had a centre where the king's palace. Markets were located at the centre of settlement for administration and commerce. The homes of the chiefs, who are ranked above the other locals and farmlands, are located near the centre. Each family received services and crafts identified with them as well as provided a way that promoted decentralisation (Babatola, 2020; UN-Habitat, 2012). The chief warrior's residence is purposefully and strategically placed on the town's outskirts to protect the indigenes from external threats. Actions were geared towards a clear direction for economy and convenience (Babatola, 2020).

Physical planning is an inclusive and systematic process

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that provides the framework for enhancing the quality of the environment and its residents (Owolabi, 2019). Physical planning, in a broader sense, entails balancing the provision of land use, the right to use land, development control duties, the provision and location of facilities, the preservation of services and goods, the protection and conservation of resources, as well as the preservation of heritage (Falade, 2011, Owolabi, 2019). Physical planning administration is in charge of controling the use of land in metropolitan areas and formulating policies for physical planning (Owolabi, 2019; Umezurike, 2015).

In order to attain environmental harmony, one of the main duties of the government is to ensure a high-quality environment where people can live, work, and have fun. It also has control over its citizens' physical development activities (Olujimi, 1993; Abubakar et al., 2022). Government involvement at various levels must create a practical framework for the management of physical planning within their territorial purview in order to accomplish this. The fact that physical planning administration concerns in Nigeria are ineffectively handled, gives way to uncoordinated land uses, overcrowding, pressure on existing infrastructural facilities, environmental deterioration among others (Umezurike, 2015). These problems have plagued not only Nigerian cities, but also rural areas and have developed into complicated issues with long-term repercussions.

The modern Planning administration in Nigeria started with the advent of colonialism and independence. Among various laws and ordinances enacted for the part and whole of the country are 1863 Township Improvement Ordinance, Cantonment Proclamation of 1904, Township Ordinance No. 29 of 1917 and Nigerian Town and Country Planning Ordinance No. 4 of 1946. Others are: Land use Act of 1978, Urban Development Policy of 1992, Urban and Regional Planning CAP of 1992 and was further amended as Decree no. 18 of 1999, Housing and Urban Development Policy of 2002. Also at various state levels, several planning laws were promulgated to guide land administration. Example of such state laws is Lagos State Urban and Regional Planning and Development law, 2010. However, Nigerian Urban and Regional Planning Law is yet to be domesticated in virtually all States of the federation apart from Lagos and Ogun states.

Effective planning administration considers the safeguarding, regulation, conservation, and distribution of land in a way that serves the interests of the entire community, both the present and future generations. It also controls the type of buildings that are constructed and how they are arranged to maximize utility and aesthetic appeal (Enoguanbhor et al, 2021). It is crucial to stress that the Nigerian Town and Country Planning Ordinance No. 4 of 1946 gave planning administration a legal framework in Nigeria. Through the laws, there were administrative agencies such as the Town Planning Division of the Ministry of Lands and Housing and Town Planning Authorities (TPAs). The agencies were given the power to control and guide orderly development of the settlements within their jurisdiction.

Physical planning problems were not completely eliminated despite numerous techniques and laws that were developed to address the country's administrative concerns. This is corroborated by Abiodun et al. (2018); Okongwu and Imoisi (2010) that the application of the laws while limited to the states in which they were operative is still confronted with several challenges. This is why Oyesiku, (2010) noted that physical planning administration in Nigeria is not creating spatially effective, functionally efficient and aesthetically pleasing settlement because of the enormous challenges confronting it. This study therefore this study examined the developers' sources of awareness and indication of compliance with physical planning regulations in Southwestern Nigeria

Overview Of The Study Area

The Southwest Geo-Political Zone

There are six (6) states in Nigeria's South-West geopolitical region: Ondo, Osun, Oyo, Ekiti, Lagos, and Ogun States (**Figure 1**). One hundred thirty-seven (137) Local Government Areas make up the zone (LGAs). There are twenty (20) LGAs in Lagos state, twenty (20) in Ogun state, twenty (20) in Ekiti state, thirty (30) in Osun state, thirty-three (33) in Oyo, and eighteen (18) in Ondo state. According to the 2006 population census, there are around thirty-eight (38) million people living in the entire region. Other than agriculture, which serves as the primary source of economic activity for the majority of rural communities, the region is renowned for its commerce and trading activities, with a preponderance of indigenous micro, small, and medium-sized businesses engaged in manufacturing, fabrication, and the production of agriculturally related goods. Because the area is blessed with fertile terrain, agriculture does quite well there. Yam, cassava, cocoyam, and maize are the principal food crops farmed in the region, while rubber, cocoa, bananas, and different fruits are the cash crops. The region is endowed with abundant natural resources and solid minerals, including granite, crude oil, sandstone, lignite, kaolin, clay, coal, tin, and others.

Southwest geopolitical zone has a humid tropical climate with distinct wet and dry seasons and is situated close to the upper edge of the tropical hinterland climate region. The dry season generally lasts from November to February, whereas the wet season typically lasts from March to October. The North-East (NE) trade wind dominates during the dry season whereas the South-Westerly wind rules during the wet season. About 80% of the time, relative humidity is the norm. There is rainfall for about eight months of the year and annual rainfall figure ranges from 1200 to 1500 mm per annum, peaking in

the month of September. About 1,300mm of rain falls on the average, each year. With multiple maxima in June/July and September/October, rainfall is primarily cyclonic. Convectional rainfall is also frequent as a result of the high solar radiation intensity and high humidity levels. The average annual temperature ranges from 27 to 32 degrees Celsius, with the highest temperature being recorded in April.

The southwest of Nigeria saw the advent of physical planning. It started after Lagos saw an epidemic of the bubonic plague in July 1924. As a result, the first law was passed to improve cleanliness and keep the public and colonial rulers' quarters apart. Several regulations that govern planning in the south-western region of the country and Nigeria have developed since this time.

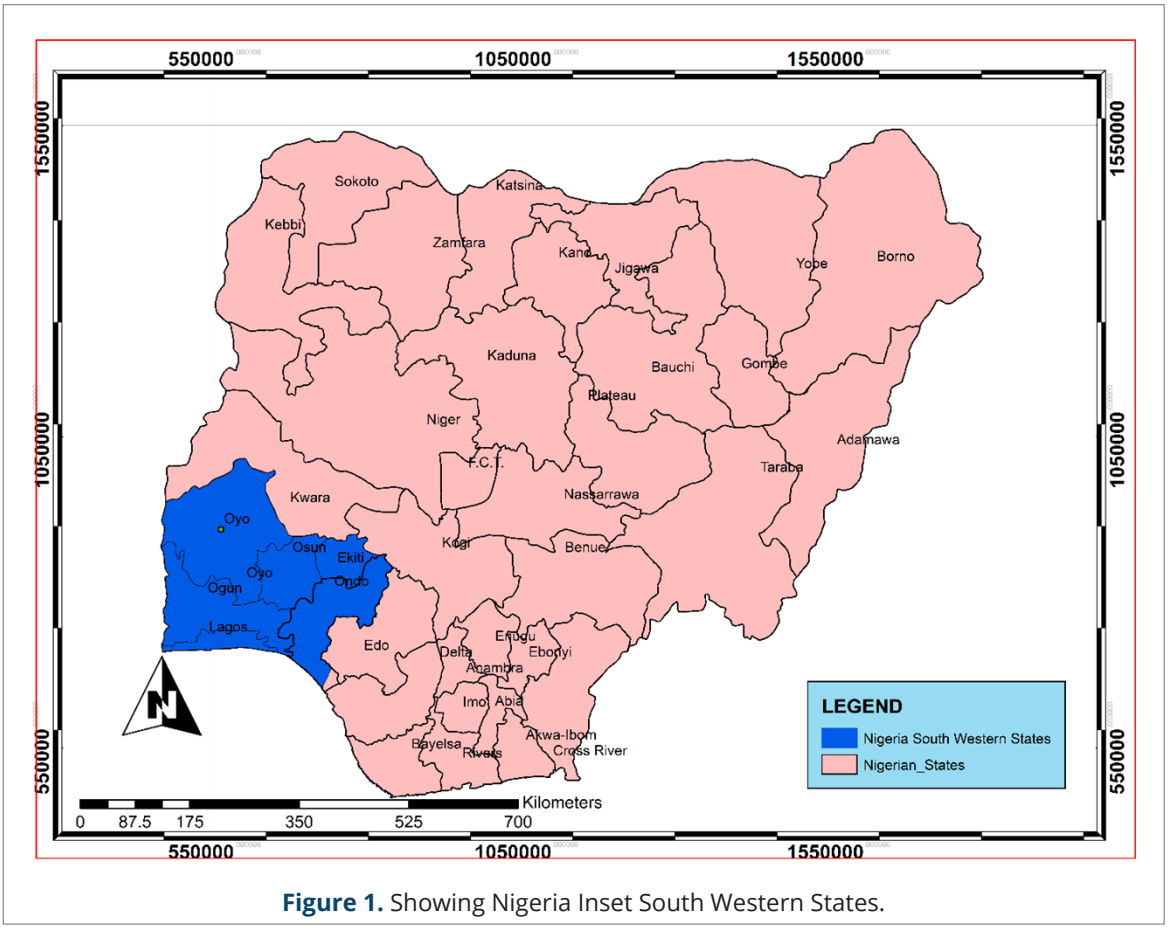

Figure 1. Showing Nigeria Inset South Western States.

Source: Gifsola Consults, 2023

States under consideration

Lagos, Ondo and Osun states have been chosen as case study (**Fig. 2**). The three states that serve as a case study for the research area's physical planning administrative processes were evaluated. Yoruba is the primary language spoken in the states, though there are numerous varieties even within a single state. The two separate seasons in Nigeria—the dry season (December to February) and the rainy season (March to November)—have an impact on the weather in the three states (November - February). The harmattan dust is also brought by the dry season, which is when chilly, dry winds from the northern deserts blow towards the southern regions.

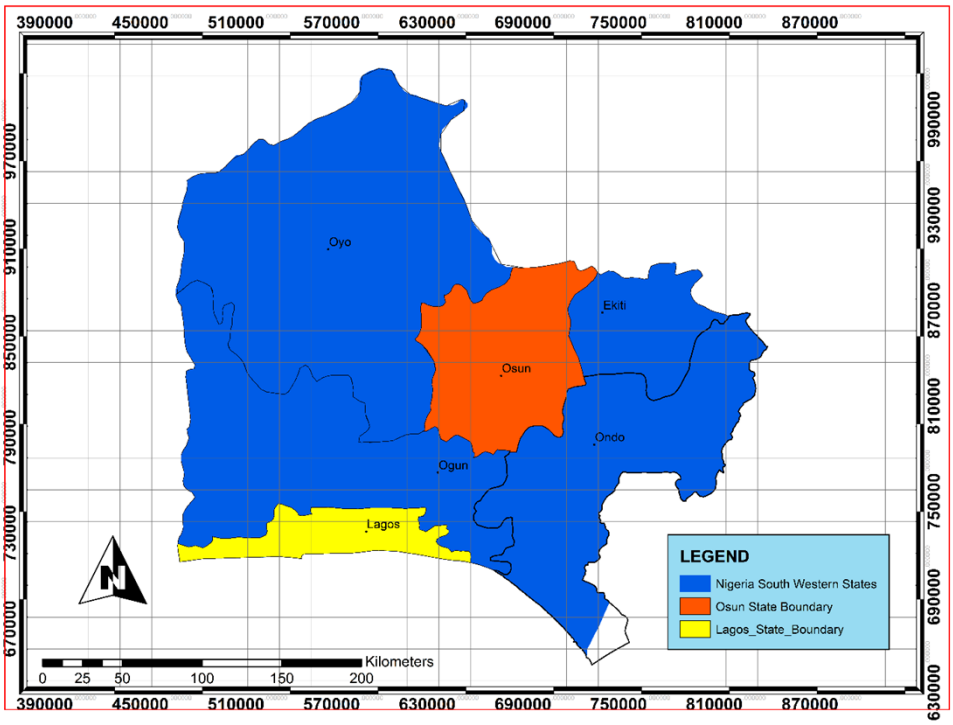

Figure 2. Lagos, Ondo and Osun States in the Context of SouthWestern, Nigeria.

Source: Gifsola Consults, 2023

RESEARCH METHODOLOGY

Two types of data were obtained for the study. These are primary and secondary data. The primary data used for the study were generated from field survey through quantitative and qualitative techniques. The quantitative data were got through the use of two sets of structured questionnaire which served as instrument of data collection in the study area. The first set of questionnaire was for the government officials in the Physical Planning Institutions: Ministries, Departments and Agencies (MDAs). Equally, the second set of questionnaire was used to harvest data from the residents on socio economic attributes, planning mechanism, residents' perception on the administrative practices for the enforcement of physical planning regulations as well as awareness and compliance to physical planning regulations.

For the qualitative technique, information was sourced through oral interview with a guide. This involves relevant stakeholders, majorly allied professionals in physical planning administration. Secondary data were extracted from the urban and regional planning laws, development plans of the cities, documentary and records of planning agencies, journals books and internet. Data extracted were majorly the financial contribution of Government as capital votes and the ones released for the implementation of physical planning. Maps and estimated number of houses as well as population figures were also obtained from secondary sources.

The South West region comprising of Lagos, Ogun, Oyo, Osun, Ondo and Ekiti is selected for this study because it is the most urbanized of all the geo-political regions in Nigeria (Nwaka, 2005). Adeyemi (2016) revealed that administration of physical planning in Lagos, Ogun, Ondo and Ekiti States is close due to its centralized planning system, while in Oyo and Osun States still operate Local Planning Authority System. Lagos and Osun States will be randomly selected from the two planning administration systems in South Western States. The unit of analysis for this study was households. Systematic sampling technique was used to select houses. Structured questionnaire was administered to the household head notably, the landlord. In case the landlord is unavailable, the questionnaire will be administered to tenant who has been resident in the house for a considerable number of years. This technique requires the selection of every kth case from a population list in a systematic manner. This research work therefore utilized 0.5% of the household size in the selected local governments which translates to a sample size of 2,682 persons as shown in table 3.10. Information obtained among others are socio economic characteristics of the developers and residents but as well as their perception on how physical planning administration affect level of enforcement and compliance to existing planning laws in the study areas. Both descriptive statistics and inferential tools were utilised for the study.

RESULTS AND DISCUSSION

Socio-Economic Attributes of Stakeholders in Physical Planning Administration

Analysis of the socio-economic attributes of stakeholders (physical planning administrators and developers) is presented in this section. The socio-economic characteristics include gender, age, religion, income, marital status, highest level of education, and years of experience. These socio-economic variables are being considered for discussion because of their imperative in evaluating people's perception on any subject, including physical planning administration (Sjoberg, 2000; Somja, 2013; Daramola & Olowoporoku, 2016). In particular, some other studies such as Arimah and Adeagbo (2000), Kuen-Tsing (2005), Alnsour and Meaton (2009) and Offiong (2014) have established the influence of socioeconomic characteristics on physical planning administration and compliance level. The socioeconomic characteristics of these stakeholders are presented in terms of those that are employees of the physical planning agencies (and their distributions across the states) and those that are developers in the study area.

However, this section is on analysis and interpretation of data collected on the developers' sources of awareness of physical planning regulations and to indicate whether they have complied with the regulations in southwestern Nigeria, with particular reference to the states under consideration (Lagos, Ondo and Osun States).

Developers' Sources of Awareness and Indication of Compliance with Physical Planning Regulations in Lagos State

As contained in **Table 1**, findings revealed how the respondents became aware of physical planning regulations in their locality or area based on the "Yes" or "No" responses of the respondents. The findings revealed that 64.3% were aware when seeking building approval while 35.7% stated otherwise; 32.3% were aware through contravention and stop work notices while 67.7% stated otherwise; 41.7% were aware through mass media while 58.3% stated otherwise; 23.8% were aware through building collapse while 76.2% stated otherwise; 47.5% were through outdoor billboard while 52.5% stated otherwise; 41.4% were aware through enlightenment campaign while 58.6% stated otherwise; 40.7% were aware through friends and neigbour while 59.3% stated otherwise; 37.6% were aware through demolition notices while 62.4% stated otherwise; 26.5% were aware through demolition exercise while 73.5% stated otherwise; and 23.2% were aware through conflict resolution while 76.2% stated otherwise.

Further findings showed that 74.8% of the respondents had prepared a building plan, while 25.2% had not done so. The findings also inquired about how those who obtained approval did so and it was discovered that 36.7% contracted with the architect, 45.2 contracted with the town planner, 10.4% obtained approval by themselves, 7.5% obtained approval by using a bricklayer as a middleman, and the remaining 0.2% obtained approval through other means.

The respondents' findings regarding compliance with physical planning regulations show that 64.8% have adequate compliance with setbacks, while 35.2% have inadequate compliance with setbacks. The majority (66.5%) complied with the observance of the building line, 76.9% complied with the adequacy of the airspace, and 87.7% complied with building accessibility. In terms of building accessibility, 87.0% of buildings were accessible by road, while 11.6% were accessible by footpath. The majority of the sampled buildings (85.1%) complied with zoning regulations, while 14.9% did not.

Table 1. Developers' Sources of Awareness and Indication of Compliance with Physical Planning Regulations in Lagos State.

Variables		Frequency	Percentage (%)
When seeking building approval	Yes	780	64.3
	No	434	35.7
	Total	1214	100.0
Contravention and stop work notices	Yes	392	32.3
	No	822	67.7
	Total	1214	100.0
Mass media	Yes	506	41.7
	No	708	58.3
	Total	1214	100.0
Building collapse	Yes	289	23.8
	No	925	76.2
	Total	1214	100.0
Outdoor billboard	Yes	577	47.5
	No	637	52.5
	Total	1214	100.0

Enlightenment campaign	Yes	503	41.4
	No	711	58.6
	Total	1214	100.0
Friend/neighbour	Yes	494	40.7
	No	720	59.3
	Total	1214	100.0
Demolition notices	Yes	457	37.6
	No	757	62.4
	Total	1214	100.0
Demolition exercise	Yes	322	26.5
	No	892	73.5
	Total	1214	100.0
Conflict resolution	Yes	282	23.2
	No	932	76.8
	Total	1214	100.0
Did you prepare a building plan	Yes	908	74.8
	No	306	25.2
	Total	1214	100.0
If obtain approval how did you do it?	Contract it to Architect	446	36.7
	Town planner	336	45.2
	Obtained the approval by self	126	10.4
	A bricklayer acted as middle man	91	7.5
	Others	2	.2
	Total	1214	100.0
Compliance with setback	Adequate	787	64.8
	Inadequate	427	35.2
	Total	1214	100.0
Observant of building line	Yes	807	66.5
	No	407	33.5
	Total	1214	100.0
Adequacy of airspace	Yes	933	76.9
	No	281	23.1
	Total	1214	100.0
Building accessibility	Yes	1065	87.7
	No	149	12.2
	Total	1214	100.0
Means of building accessibility	Road	1056	87.0
	Footpath	158	11.6
	Total	1214	100.0
Building in line with zoning regulations	Yes	1033	85.1
	No	181	14.9
	Total	1214	100.0

Source: Author's Fieldwork, 2024

Residents' Sources of Awareness and Indication of Compliance with Physical Planning Regulations in Ondo State

Table 2 illustrates the means by which respondents gained awareness of physical planning regulation in their own location or area. The results indicated that 52.1% of the participants demonstrated awareness. When seeking building approval, 47.9% of respondents indicated that they were not aware of the process. However, 48.5% were informed through contravention and stop work notices. Similarly, 51.5% stated that they were not aware of these notices. Additionally, 42.2% became aware through mass media, while 57.8% did not. Furthermore, 29.5% learned about building approval through building collapse

incidents, while 70.5% did not. Similarly, 30.8% were informed through outdoor billboards, while 69.2% stated otherwise. The results on whether the respondents prepared a building plan indicated that 66.9% of them did, while 33.1% did not. The study investigated the methods used by individuals to obtain approval. It was found that 64.2% of them contracted directly with the architect, 17.2% contracted with the town planner, 9.0% obtained approval independently, 5.5% used a bricklayer as a middleman, and the remaining 4.1% used alternative methods to obtain approval.

Table 2. Developers' Sources of Awareness and Indication of Compliance with Physical Planning Regulations in Ondo State.

Variables		Frequency	Percentage (%)
When seeking building approval	Yes	527	52.1
	No	484	47.9
	Total	1011	100.0
Contravention and stop work notices	Yes	490	48.5
	No	521	51.5
	Total	1011	100.0
Mass media	Yes	427	42.2
	No	584	57.8
	Total	1011	100.0
Building collapse	Yes	298	29.5
	No	713	70.5
	Total	1011	100.0
Outdoor billboard	Yes	311	30.8
	No	700	69.2
	Total	1011	100.0
Enlightenment campaign	Yes	223	22.1
	No	788	77.9
	Total	1011	100.0
Friend/neighbour	Yes	428	42.3
	No	583	57.7
	Total	1011	100.0
Demolition notices	Yes	334	33.0
	No	677	67.0
	Total	1011	100.0
Demolition exercise	Yes	293	29.0
	No	718	71.0
	Total	1011	100.0
Conflict resolution	Yes	242	23.9
	No	769	76.1
	Total	1011	100.0
Did you prepare a building plan	Yes	676	66.9
	No	335	33.1
	Total	1011	100.0
If obtain approval how did you do it?	contract it to Architect	649	64.2
	Town planner	174	17.2
	obtained the approval by self	91	9.0
	a bricklayer acted as middle man	56	5.5
	Others	41	4.1
	Total	1011	100.0
Compliance with setback	Adequate	823	81.4
	Inadequate	188	14.1
	Total	1011	100.0

Observant of building line	Yes	794	78.5
	No	217	21.4
	Total	1011	100.0
Adequacy of airspace	Yes	840	83.1
	No	171	17.0
	Total	1011	100.0
Building accessibility	Yes	931	92.1
	No	80	8.0
	Total	1011	100.0
Means of building accessibility	Road	868	85.9
	Footpath	143	14.2
	Total	1011	100.0
Building in line with zoning regulations	Yes	734	72.6
	No	277	27.4
	Total	1011	100.0

Source: Author's Fieldwork, 2024

The results indicated that 81.4% of the respondents comply adequately with physical planning laws for setbacks, while 14.1% have insufficient compliance with setbacks. 78.5% of individuals adhered to the requirement of maintaining the building line, 83.1% adhered to the requirement of having sufficient airspace, and 92.1% adhered to the requirement of ensuring building accessibility. In terms of building accessibility, 85.9% of the buildings could be accessed by road, while 14.2% were accessible by walk. 72.6% of the buildings that were sampled adhered to the zoning laws, while 27.4% did not comply.

Residents' Sources of Awareness and Indication of Compliance with Physical Planning Regulations in Osun State

Table 3 shows how the respondents became aware of physical planning regulations in their locality or area. The findings revealed that 74.0% were aware. When seeking building approval while 26.0% stated otherwise , 77.0 % were aware through contravention and stop work notices while 23.0% stated other wise, 45.1% were aware through mass media while 54.9% stated other wise, 37.2% were aware though building collapse while 62.8.% stated other wise, 40.5% were through outdoor billboard while 59.5% stated other wise, 40.7% were aware through enlightenment campaign while 59.3% stated other wise, 52.1% were aware through friends and neigbours while 47.9% stated other wise, 38.9% were aware through demolition notices while 61.1% stated other wise, 35.2% were aware through demolition exercise while 64.8% stated other wise and 39.2% were aware through conflict resolution while 60.8% stated otherwise. The findings on whether the respondents prepared a building plan revealed that 67.8% of the respondents did, while 32.6% did not prepare a building plan. The findings further inquired about how those who obtained approval did so: 45.7% contracted with the architect, 38.7% contracted with the town planner, 9.4% obtained the approval by themselves, 5.5% obtained approval by using a bricklayer as a middleman, and the remaining 1.3% obtained approval through other means.

Table 3. Developers' Sources of Awareness and Indication of Compliance with Physical Planning Regulations in Osun State.

Variables		**Frequency**	**Percentage (%)**
When seeking building approval	Yes	338	74.0
	No	119	26.0
	Total	457	100.0
Contravention and stop work notices	Yes	352	77.0
	No	105	23.0
	Total	457	100.0
Mass media	Yes	206	45.1
	No	251	54.9
	Total	457	100.0
Building collapse	Yes	170	37.2
	No	287	62.8
	Total	457	100.0

Outdoor billboard	Yes	185	40.5
	No	272	59.5
	Total	457	100.0
Enlightenment campaign	Yes	186	40.7
	No	271	59.3
	Total	457	100.0
Friend/neighbour	Yes	238	52.1
	No	219	47.9
	Total	457	100.0
Demolition notices	Yes	178	38.9
	No	279	61.1
	Total	457	100.0
Demolition exercise	Yes	161	35.2
	No	296	64.8
	Total	457	100.0
Conflict resolution	Yes	179	39.2
	No	278	60.8
	Total	457	100.0
Did you prepare a building plan	Yes	310	67.8
	No	147	32.6
	Total	457	100.0
If obtain approval how did you do it?	contract it to Architect	154	45.7
	Town planner	177	38.7
	obtained the approval by self	43	9.4
	a bricklayer acted as middle man	25	5.5
	Others	6	1.3
	Total	457	100.0
Compliance with setback	Adequate	389	85.1
	Inadequate	68	14.9
	Total	457	100.0
Observant of building line	Yes	382	83.6
	No	75	16.4
	Total	457	100.0
Adequacy of airspace	Yes	423	92.6
	No	34	7.4
	Total	457	100.0
Building accessibility	Yes	437	95.6
	No	20	4.4
	Total	457	99.1
Means of building accessibility	Road	390	85.3
	Footpath	67	14.7
	Total	457	100.0
Building in line with zoning regulations	Yes	198	44.3
	No	259	56.7
	Total	457	100.0

Source: Author's Fieldwork, 2024

The findings as regards compliance with physical planning regulations by the respondents indicate that 85.1% have adequate compliance with setbacks, while 14.9% have inadequate compliance with setbacks. The majority (83.6%) complied with the observance of the building line, 92.6% complied with the adequacy of airspace, and 95.6% complied with building accessibility.

As regards the means of building accessibility, 85.3% of the buildings were accessible by road, while 14.7% were accessible by footpath. The majority of the sampled building 56.7% did not comply with zoning regulations, while 44.3% complied with zoning regulations.

CONCLUSION

Based on the findings, it can be concluded that stakeholders in physical planning administration were distributed across the offices of the MDAs in Lagos State, Ondo State and Osun State. Also, these MDAs include the federal government offices located in the states; the planning agencies owned by and location in the states, and the departments of local of government areas that are under consideration. Also, these stakeholders were of varying socioeconomic characteristics but they had what it takes to provide valuable information for this research. Against this background of the respondents and based on the findings from the study, the following recommendations are made:

i. The legal and administrative frameworks of physical planning administration in southwestern Nigeria comprise the laws used in the administration of physical planning in Lagos, Ondo, and Osun states. These include the Urban and Regional Planning Law (Decree No.88) of 1992. However, the law has not been domesticated and implemented in Ondo and Osun States. Other legislations are the Land Use Decree No. 6 of 1978, the Nigerian Building Code and National and State Environmental Law representing respectively.
ii. Government is the major financial driver of the physical planning projects through a combination of budget allocations, grants, partnerships, international aid, revenue generation mechanisms, and specialized financing vehicles. By investing in urban development and infrastructure, governments aim to promote sustainable growth, improve living standards, and enhance the overall quality of life for residents in the region.
iii. The level of financial contribution of government towards physical planning projects determines the level of implementation of physical planning activities in the study area.
iv. The determinants of residents' and developers' awareness of physical planning administrative practices in southwestern Nigeria are their socioeconomic characteristics such as gender, age, years of education, income, and length of stay in the area.
v. The socio-economic attributes of the developers in the study area had strong impacts on the level of compliance with development control significantly in the study area.

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