Development Control as a Tool for Urban Sustainability in South-Western Nigeria

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Abstract

This paper examines the role of development control as a tool in ensuring urban sustainability in Southwestern Nigeria. The six states in the region were grouped into three (Lagos/Ogun, Osun/Oyo and Ondo/Ekiti). A state was randomly selected from each group. The study focused on the capital cities of three chosen states (Ogun, Osun and Ekiti). Data for the study were obtained from the professionals in the twenty planning agencies operating in Abeokuta (9), Osogbo (5), and Ado-Ekiti (6), respectively. Two professionals were selected from each agency for the interview. Data obtained were analysed using descriptive statistics such as frequency distribution, mean and percentages. In addition, content analysis was used to analyse the legislative tools for controlling physical development. The study found that development control provides appropriate mechanisms for orderliness and sustainable city development. It also established that National Physical Development Plan is a veritable tool for integrating the physical and spatial with the economic and social issues of national development planning. Despite the critical role of development control in making cities sustainably functional, its implementation in the southwestern region of Nigeria is confronted with some challenges, which include inadequate tools and equipment (7.7%), poor funding (7.4%), lack of master plan (6.9%), political interference (6.7%) and lack of data and information (6.6%). In order to achieve urban sustainability, the study, therefore, recommends that development plans should be prepared to channel the growth and development of cities. Also, appropriate development control mechanisms should be put in place and properly implemented in the southwestern region and in all the cities in Nigeria. The planning agencies in charge of development control must properly enforce development control to ensure adequate compliance and guarantee urban sustainability.

***Keywords*:** Sustainable development, urban planning and development control.

1.0 Introduction

Cities all over the world are growing at a very rapid rate. The reason for this cannot be divorced from multiple factors that interplay in the fast-growing world. These are a natural increase in population, rural-urban migration, technological advancement and socio-economic transformation (Fabiyi, 2006). The global urban population estimate by UN-Habitat (2015) shows that the urban population grew from 746 million in 1950 (29.6 per cent of the world population) to 2.85 billion in 2000 (46.6 per cent), and it reached 3.96 billion in 2015 (54 per cent). This is expected to reach 5.06 billion by 2030 (60 per cent of the world population), and more than 95% of the net increase in the global population will be in cities of the developing world, which will approach 80% urbanisation level of most industrialised nations at that time (Adedeji & Eziyi, 2010).

The implication of the unprecedented expansion of cities, especially in low-income countries, manifests in the distribution of land uses and structures without regard to any planning standards. The result is the attendant congestion problems, inaccessibility to some activity areas, pollution and other forms of environmental degradation (Sarkheyli et al., 2012). It also brings about irreversible changes in consumption and production patterns, especially in land use, water, energy and other natural resources (Fawzi & Monjor, 2017) as a response to the tremendous growth and expansion demands. Based on conservative estimates, our cities occupy just 2.0% of the earth's surface. However, they are currently home to more than 50% of the world's population (European Commission, 2010), generate more than 80% of the world's GDP (UN-Habitat, 2011), use 75% of the

world's natural resources, consume 75% of global energy supply and produce approximately 75% of global CO2 emissions which is responsible for global warming.
Today's common urban challenges, such as climate change, crime, poverty, disease and the exhaustion of natural resources, apart from the fact that they affect different areas in different ways, also do not respect borders between countries or limits between the built and the non-built domains, hence require new and innovative responses. In order to deal with these challenges, different approaches to planning have been tested and implemented worldwide.

The global responses to global environmental problems have culminated in a series of Agendas. These include the Stockholm Declaration on Human Environment (1972), Our Common Future (1987), Earth Summit on Environment and Development (1992), United Millennium Development Goals (2000), Sustainable Development Goals (2015), and New Urban Agenda (2016), among several others. Apart from the fact that these agendas were geared towards the sustainable development of the member nations, they also recognised local capacities in implementing international agreements.

From a general perspective, sustainable development can be defined as utilising natural resources for current human activities without jeopardising the ability of future generations to use the same resources (Olayiwola & Adeleye, 2006). Significantly, the acquisition and development of land is the basis of physical growth. Considering how well we balance socio-economic, environmental, and land use growth objectives is important when making decisions today. This statement recognises the importance of ensuring that the needs of the world's current population are satisfied, with consideration for the needs of the future generation (Saleh & Biswajeet, 2017). According to Owei et al. (2010), urban sustainability is directly influenced by land use controls that ensure efficient use of urban land.

Development control is an instrument by which land development policies are implemented. Urban development planning cannot achieve its goals and ideals without development control. Development control is to urban development planning what a road is to a motor vehicle, salt is to food, and a coach is to a team member. (Olajuyin and Olayiwola, 1985). Since land use decisions are critical determinants of environmental quality, land use controls can be effectively practised to combat physical and environmental problems. These are incompatible land uses, pollution, the occupation of hazard-prone areas, the degradation of wetlands and other coastal resources, and the loss of open space and other cultural resources (Rowland, 2000).

The principal land use control mechanisms used in most countries include land use development plan/planning schemes, development and building permits, zoning controls, building and subdivision regulations and planning legislations (Leonard, 1987; Olayiwola & Adeleye, 2006; Fagohun & Odumosun, 2009; Avogo, 2015). These tools are intended to provide the strategic framework and policy context for all local planning decisions. While development controls have been successfully utilised to ensure balanced spatial distribution of activities and sustainable development in advanced countries, their application has been problematic, especially in developing countries (Leornard, 1987). The questions that need to be addressed include: What development control tools are put in place to achieve urban sustainability in Nigeria? How have these mechanisms been implemented? Are these tools adequate to guarantee urban sustainability? What are the challenges to effectively implementing development control regulation in the country? This paper believes that the attainment of sustainable development will remain a mirage if the present rate of urban environmental problems and decay is not combated with effective development control regulations.

2.0 Literature Review

The Concept of Urban Sustainability

According to Gerald (1975), every generation has had to live and work in an inherited environment, shaped in some cases by distant predecessors. Nevertheless, despite radical changes in economic and social spheres, it is still surprisingly workable because man's essential requirements in urban living space remained relatively constant. This view suggests that today's land use decisions will affect future environmental productivity. There is a need to exercise caution when incorporating environmental and human needs to pursue economic growth and ensure sustainable development.

The sustainable development concept was originally defined by the World Commission on Environment and

Development (WCED, 1987), known as "Our Common Future", as one that meets the needs of the present without compromising the ability of future generations to meet their own needs. This suggests that the principal goal of sustainable development is meeting present human needs in such a way that will not jeopardise the potential of posterity to meet their needs.

Sustainable development, as applied to urban areas, is the ability of the urban areas and their regions to continue to function at levels of the desired quality of life by communities without limiting the options available to the present and future generations and resulting in adverse impacts within and outside their boundaries (Adedeji & Eziyi, 2010). Urban sustainability can also be defined as the improvement of the quality of life of human beings within the capacity of the earth's limited resources (Saleh & Biswajeet, 2017). Hence, urban sustainability is the ability of cities to reduce the environmental effect of urban activities while improving social equity and livability in urban areas. These human-made settlements are the source of air, water, and land pollution and the main consumers of natural land, food, and energy.

Urbanisation is not a recent phenomenon, especially in Nigeria. Indeed, many ancient cities such as Ile Ife, Kano, Ibadan, Benin and Sokoto have had a rich history of urbanisation. However, It is apparent that the urbanisation rate in recent periods has been vigorous, alarming and unsustainable (Fatusin, 2015).

Confirming the above scenario, Mabogunje (2002), cited in Fatusin (2015), noted that residents of urban centres in Nigeria in 1950 were less than 15% of the population. By 1975, this proportion had risen to 23.4%, and by 2000 was 43.3%. According to Fatusin, the urban population growth rate is 4.8% annually, markedly higher than the growth rate of 1.2% in developed countries. The implication of high urbanisation is the manifestation of spontaneous slum development in cities in Nigeria. According to the World Bank (2006), over two-thirds of the population of Lagos lives in the informal settlements or slums scattered around the city.

Similarly, the southern Aba region of Abia State, according to Ogbonna et al. (2016), is one of the biggest slums in Nigeria. This is so because the area is constantly experiencing rapid squatter development. The rates at which slums are growing in cities in the state have become a source of worry to the state government as this poses a threat to urban sustainability.

According to Oduwaye (2009), concern for sustainable cities at two levels, first at the global level, which involves a range of issues concerning the long-term sustainability of the earth. Secondly, at the local level, it involves the possibility that urban life may be undermined from within because of congestion, pollution, waste generation and their accompanying social and economic consequences.

One major instrument and global agenda aimed at providing required guidance on the growth and development of cities and improving the urban living environment is the Sustainable Development Goal (SDG). Although the SDGs constitute a logical continuation of the Millennium Development Goals (MDGs) (Ajulor, 2018), it is being expanded to accommodate 17 goals slated to be achieved by 2030. Specifically, goal 11 of the SDG is centred on how to make cities inclusive, safe, resilient and sustainable. As a follow-up to achieving SDGs, the New Urban Agenda (NUA) was entrenched to reaffirm the global commitment to sustainable urban development. In essence, part of the reasons for introducing the NUA is to contribute to the implementation and localisation or domestication of the 2030 Agenda for Sustainable Development in an integrated and coordinated manner at the global, regional, national, sub-national and local levels. In their study, achieving the above program of actions could be why Yakof et al. (2012) opined that urban sustainability would be made possible by effectively implementing physical planning mechanisms such as development plans and planning control systems. The concept of sustainability also suggests that cross-jurisdictional bridging of ideas is necessary to tackle some of the wicked environmental problems, and the field of development control is not an exemption but a centrepiece towards the advancement of city planning not only in Nigeria but in other parts of the world.

3.0 Defining Development Control

The Nigerian Urban and Regional Planning Law Decree No 88 of 1992 defined development as:

> *"the carrying out of the building, engineering, mining or other operations in, on, over or under any*

land, or the making of any environmentally significant change in the use of any land or demolition of building including felling of trees and placing of free-standing erections used for the display of advertisement on land".

Similarly, The Lagos State Urban and Regional Planning Edict of 1998, in its definition, gave an additional point of emphasis. It defines development as the following:

"*carrying out of any building, engineering, mining or other operation in, on, over or under any land; the making of any material change in the use of any land, building structure or conversion of land, building structure from its established or approved use, and or including the placing or display of advertisement on the land, building or structure the making of any environmentally significant change in the use of any land or demolition of building including felling of trees."*

The definitions above reveal that the totality of man's activities on land constitute development capable of having considerable effects on the physical environment, either negatively or positively, for which permission must be sought before embarking on such. It is sufficient to say that if development is not controlled, land users will build anywhere and anyhow, thereby causing chaotic and disorderly growth of the city (Aluko, 2004). McLoughlin (1969) defines 'control' as providing direction in conformance to variation from system objectives within allowable limits. In the opinion of Hornby (2010), control is the act of restricting, limiting or managing something. Onokerohraye and Omuta (1985) see 'control' as a term used to express the exercise of directing influence over something to ensure its correctness. They also see control as a standard for measuring or ensuring correctness. However, the word control, as applied to development, implies that the freedom to develop is restricted and guided by certain control standards.

Therefore, development and control can be likened to conjoined words that complement each other in ensuring orderly physical development. According to Vivan et al. (2013), development control is a mechanism to maintain standards. It is a process laid down by legislation to regulate land and building development. It is the professional activity carried out by town planners to ensure compliance with the approved development guides, thereby ensuring orderliness. According to Aluko (2011), development control is actually to regulate any building or rebuilding operation in, on, over and under the land to ensure orderly growth of settlements by stipulating adequate standards for all aspects of land uses through the provision of adequate lighting, ventilation, open spaces and all other socio-cultural facilities that make life worth living in line with the overall plan of the area concerned. In the same vein, Achi (2001) sees development control, in general, to involve regulating, restraining, keeping in order or voting human activities, which are defined statutorily as development. According to Vivan et al. (2013), the objectives of development control include but are not limited to the protection and enhancement of the built environment, the coordination of both public and private investments in land and property to ensure that land is efficiently used, and the control of pollution. Components of development control are development plans, building regulations and development permit systems (Leonard, 1987).

To achieve the basic aim of sustainable physical development in cities, according to Oduwaye (2009), the development permit stage is a major determinant of the prospects of the environment. Those who work to evaluate applications for development permission, grant or refuse permission, and inspect development have a tremendous responsibility to ensure that the problems identified during evaluation do not arise eventually. They have a responsibility to ensure that development occurs in the right place, at the right time; that buildings are structurally sound and will not endanger the safety or lives of those who live in or use them; that they are provided with the essential services and facilities necessary to support the purpose for which they are erected; and to ensure that the environment and natural resources are managed carefully and prudently for the enjoyment of present and future generations (Thomas, 2001). Although planning permission is not an end in itself, it must be seen within the context of managing change in order to achieve the greatest benefit.

4.0 Development Control Tools

For any system to work as expected, there is always the need for control and balance, which is a form of regulation for necessary operation (Obabori et al., 2007). Development control is a tool through which order is instilled in physical development activities in cities. According to Olajuyin and Olayiwola (1985), two main technical devices for development control are Land use

zoning and planning standards. Fagbohun and Odumosu (2009) further classified these tools as direct and indirect ways of controlling development. Direct strategy is the physical development plans prepared to provide a framework and guide the growth and development of any settlement. These include but are not limited to comprehensive development/master plan, zoning plan, and layout plan. Indirect strategy is the legal instrument the planning authority uses to exercise its statutory powers to control physical development. This comprises urban development control-associated laws and edicts. Some of these laws in Nigeria include Urban and Regional Planning Decree No. 88 of 1992, Environmental Impact Assessment Law Decree No. 86 of 1992 and Planning Standards, among others. However, these tools are operationally interdependent depending on the context in which they are practised.

Development control functions cannot and should not operate in a vacuum. According to Thomas (2001), formulating land use policy and development standards - often contained within development plans - provides the contextual framework for the development control function. A development plan is often considered a development policy or a decision guide that attempts to influence both the private and public use of land concerning the overall goals and objectives of the national, regional, state or local development (Oyesiku, 1998). Beck (2010) sees a development plan as "a document in text and maps, containing, at a minimum, a municipal development strategy setting forth the jurisdiction's position on population and housing growth within the jurisdiction, expansion of its boundary, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. Planners can restore order in existing human settlements and create new ones which satisfy their living needs, working, worshipping and recreating through the preparation of a comprehensive urban development plan (commonly known as a Master plan). This serves as guidelines in the development of the city not only for the present but also for the foreseeable future, thereby making the city sustainable. Thomas (2001) notes that plans are prepared to achieve several objectives, among which are to anticipate the development needs of an area, identify relevant development issues, identify opportunities for and constraints to development, identify areas that are suitable/unsuitable for different types of development; make proposals for how the area should develop over time; and establish policies and standards to guide development.

The urban, comprehensive development plan alone cannot adequately detail all land use activities in various sections of the city without adopting land use zoning. Land use zoning is a technique of specifying in the plan areas for major uses such as residential, commercial, industrial, institutional, open spaces, utilities, and transportation (Obialo, 1999). It is also referred to as the physical division of an urban community into districts (zones/areas) for the purpose of regulating the use of land and buildings, height and bulk of buildings, plot coverage and density of population under police power. A zoning ordinance is generally in two parts: a zoning map showing the location of each zone and an accompanied text. The zoning text gives a detailed description of each zone or district. For a zoning plan to be valid, according to Oduwaye (2004), it should satisfy the following conditions among others: the plan should be comprehensive, provide the same regulations that will apply to all districts having similar zone classification; the plan should demonstrate the protection of public health, welfare and safety; planned neighbourhood should encourage flexibility and allow greater freedom of design without the neglect of the public interest; and the administration of zoning could be a complex process therefore, procedure must be established for its implementation.

To further implement a comprehensive development plan at the local level, a land subdivision/layout plan is prepared to provide for the orderly and efficient development of land within the zoning/district/neighbourhood plan framework at the local level.

According to Berrisford (2010), traditionally and globally, planning law fulfils two main functions. Firstly, it provides the legal framework for which plans are made: who makes the plans, what processes have to be followed in the plan-making, what is the content of the plan and its legal effect. Secondly, it regulates the process of approving the development or change of use of land: what land use changes or land developments require permission and in which areas; the process to be followed by a person wishing to obtain approval for a proposed

land use change or land development; the factors to be taken into account by decision-makers when considering an application for permission, including the effect of any approved plan; the legal consequences of a decision to approve an application for permission such as the payment of infrastructures and services charges and the compliance with specified conditions relating to environmental protection, the need for any additional approvals or time limits within which to exercise the newly granted rights. In some cases, the developer may need to fulfil additional requirements, especially if the development project is capable of exerting harmful effects on the environment. The planning law provides for the preparation of an environmental impact assessment (EIA).

Glasson et al. (1999) describe environmental impact assessment as a technique and a process by which information about the environmental effects of a project is collected, both by the developer and from other sources, and taken into account by the planning authority in forming their judgment on whether the development should go ahead. Umeh and Uchegbu (1997) described EIA as a management tool designed to aid officials, managers and policymakers who make decisions about major development projects in predicting the environmental consequences of such projects before their implementation and planning measures for avoiding or mitigating adverse environmental impacts. According to Umeh and Uchegbu (1997), the overall aim of EIA is to improve the project's suitability within its proposed environment and lead to more efficient use of resources than if remedial measures were introduced in an already impacted environment. As a development control tool, EIA is a preventive rather than a curative measure (Weston, 1997).

Development control will only achieve its goal of ensuring orderly physical development when acceptable and affordable planning standards are put in place to form the basis of development control operation. The standards are formulated by statutory planning authorities and applied in regulating land use and control of building development (Olujimi, 2008). In essence, Town Planning was made into a "science" of plot ratios, setbacks, percentages of open space, standardised road patterns and building forms, and endless other mechanisms for controlling land development by both governments and developers. They serve as tools for specification before building operations can be approved under the law (Adeleye & Olayiwola, 2006). Scholars such as Onokerhoraye and Omuta, 1985; Olajuyin and Olayiwola 1985; Adeyeye, 2010, among others, reasoned that planning standards could be prescriptive or regulatory. According to Obialo (1999), prescriptive standards may be where the desired quantity, quality and intensity specifications are higher than the minimum requirements. This refers to international or national standards used for controlling development at the macro level. Regulatory is a minimum standard specified by the planning authority as a minimum requirement for the development of any area. The ultimate goal is to achieve orderly spatial development, leading to sustainable urban land use.

5.0 Methodology

Nigeria has six geo-political regions (North East, North Central, North West, South East, South-South and South West). The Southwestern region comprising Lagos, Oyo, Ogun, Osun, Ondo and Ekiti states is the focus of this study. It is located in the southern part of the country and shares boundaries with Kwara and Kogi States in the north, Edo State in the East, the Republic of Benin in the West and bordered the Atlantic Ocean in the South (see Figure 1). The basis for its selection is that the region is the most urbanised in Nigeria (Nwaka, 2005). The high rate of urbanisation in the region is an indication that physical development activities and consumption of land resources will be high. The six states in the Southwestern zone were stratified into three groups: Lagos/Ogun, Oyo/Osun, and Ondo/Ekiti. The basis for this is that each group adopts a similar method of development control. For example, Lagos/Ogun states have Physical Planning Boards; Oyo/Osun states operate a Local Planning Authority system, while Ondo/Ekiti states centralise their planning activities in the Ministry. One state was selected randomly from each group. The three states selected for this study were Ogun, Osun and Ekiti.

The focus of this study was the state capitals. Thus, the state capitals of Ogun, Ekiti and Osun (Abeokuta, Ado Ekiti and Osogbo) were selected. Physical development control activities are assumed to be more prominent in these cities. The state capitals are likely, therefore, to face more sustainable development challenges than any other city in the states selected.

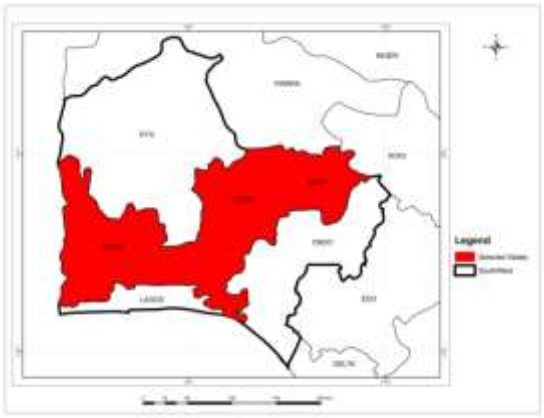

Figure 1: Map of South West Showing Selected States
Source: Cooperative Information Network (COPINE), OAU. Ile-Ife 2016.

The data for this study were obtained from the professionals in the planning agencies saddled with the responsibility of enforcing development control. There were 9, 5 and 6 planning agencies in Abeokuta, Ado-Ekiti and Osogbo, respectively. Two staff members were purposively sampled from each agency. The Director of Town Planning and Land Matters and the Head of the Development Control Unit in each planning agency were selected for questionnaire administration. Oral interviews were also conducted with the professionals to complement the information obtained through the questionnaire. Information obtained includes planning legislation and development control tools adopted by the planning agencies, the level of implementation of these tools, and challenges faced by the planning agencies capable of hindering effective implementation of development control regulations and sustainable urban development. Information obtained was analysed using descriptive statistics such as frequency and percentage. Content analysis was also employed to analyse text (planning legislation) and verbal reports from the professionals in the planning agencies.

Table 1: Development Control Agencies, their Staff Strength and Sample Size

Abeokuta			
S/N	**Name of Control Agency**	**Number Workers**	**Sample Size**
1	Federal Ministry of Lands, Housing and Urban Development	4	2
2	Ogun State Ministry of Physical Planning	12	2
3	Ogun State Planning Board	14	2
4	Abeokuta East Zonal Planning Authority	13	2
5	Abeokuta West Zonal Planning Authority	15	2
6	Abeokuta Central Zonal Planning Authority	8	2
7	Ogun State Ministry of Housing	12	2
8	Ogun State Property Investment Corp.	8	2
9	Ogun State Housing Corporation	7	2
	Total	**79**	**18**
Ado Ekiti			
1	Federal Ministry of Lands, Housing and Urban Development	4	2
2	Ministry of Physical Planning, Housing and Urban Development	9	2
3	Ado Ekiti Zonal Planning I	5	2
4	Ado Ekiti Zonal Planning II	5	2
5	Ekiti State Housing Corporation	3	2
	Total	**26**	**10**
Osogbo			
1	Federal Ministry of Lands, Housing and Urban Development	4	2
2	Ministry of Lands Physical Planning and Urban Development	25	2
3	Osun State Capital Territory Development Authority	8	2
4	Osun State Property Development Corporation	6	2
5	Osogbo Local Government Planning Authority	13	2
6	Olorunda Local Planning Authority	18	2
	Total	**70**	**12**

Source: Author's Field Survey, 2019

6.0 Data Presentation and Discussion of Findings

6.1 Development Control Tools Available and their level of Implementation in the Study Area

Legal tools refer to the various planning laws enacted by the government to guide the making of spatial plans at the city, town, village or district level. They also established the relevant development control agencies, defined their roles, and set processes for approving development. For development control to be effective in cities, laws and policies are required. Where these laws are absent or weakly implemented, physical development becomes disorderly cities and unsustainable. The most recent law guiding Urban and Regional Planning activities in Nigeria is Decree No. 88 of 1992. The law is divided into six parts and contains ninety-two sections. Part one focuses on plan preparation and administration. Part two deals with development control, while part three focuses on additional control measures in special places. Parts four and five, respectively, address the acquisition of land and compensation and improvement areas-rehabilitation, renewal and upgrading. Finally, the focus of part six is appeals.

Information obtained reveals that professionals in all the planning agencies agreed that Decree No. 88 of 1992 has been put in place in their respective states. However, opinions differed on the level of implementation of this law. In Ogun state, for example, findings reveal that the planning law of 1992 has not only been put in place but has also been implemented as indicated by professionals in the planning agencies in Abeokuta. Implementing the law would mean that all the provisions of the law will be followed when carrying out development control activities. Even though the law has existed for more than three decades, the result of the study, as obtained in Table 2, shows that it has not been properly implemented in Osun State and Ekiti State. The implication is that physical planning and development control in the states will not be effectively carried out and, consequently, affect the orderly and sustainable development of cities.

The planning law No. 88 of 1992 serves as a template for the state planning laws in the country. In essence, states in Nigeria are expected to enact the state version of the planning law that will reflect the prevailing cultural, social, economic and physical realities in each state. Based on this, the Ogun state planning law No. 20 of 2005 was enacted as the state version of Decree No. 88 of 1992. Planning Board and Zonal Planning Authorities were established at the state and local levels to implement the law to coordinate development control in their respective area of jurisdiction. While the professionals in the planning agencies in Abeokuta held the belief that both Decree No 88 of 1992 and Planning Law No 20 of 2005 were implemented in the state, the establishment of zonal planning authorities at the local level negates section 5(c) of Decree No 88 of 1992 and section 5 of Ogun state planning law of 2005 respectively which states *"that a local planning authority shall be put up in each of the local government areas"*.

Similarly, Ekiti State Planning Law No. 16 of 2011 was enacted to guide physical planning and development control in the state. Section 24 of the law provides for the establishment of the department of a planning permit and building control agency for the purpose of coordinating development control activities in the state. Until now, this agency has not been put up in the state. Instead, the physical planning activities and development control are centralised in the Ministry of Housing Physical Planning, land and Urban Development. By implication, the practice of development control without an independent body coordinating the activities promotes interference. This confirms the result of a study in Akure by Olajuyigbe and Rotowa (2013) that the ministry system of controlling physical development was ineffective due to interference.

On the contrary, no state version of the planning law was implemented in Osun state. Although local planning authorities were put up to carry out planning and development control at the local government level, there was no effective and enabling planning law to guide their operations in the city.

The importance of safeguarding the environment, improving the suitability of development projects and sustainable consumption of land resources is the basis for introducing environmental impact assessment Decree No 86 of 1992. The result of the study confirmed that the EIA law of 1992 has been put in place and implemented across the states in southwestern Nigeria. To further prevent abuse and misuse of land in the country, Land Use Act No. 6 of 1978 was enacted. The result of the study, as contained in Table 2, shows that the law has been implemented in the study area.

Planning standards serve as a measure of quality. It determines what is allowed and how it is to be built. Its overarching objective is to attain an orderly spatial development, leading to sustainable urban land use. The result of this study reveals that the national planning standard was not adopted in the study area. Where states have formulated their own planning standards, as in Ogun and Ekiti states, respectively, it was observed that the tool had not been effectively activated. Implementing development control without following appropriate/uniform standards will result in abuse and misuse of land resources and, as a consequence, haphazard development. Other legislative tools identified in the study area but not properly adopted were the Building Adoptive Bye-laws of 1968 and the National Highway Code, respectively.

For the orderly growth of settlements and sustainable development of cities, development plans are needed to guide physical development activities at present and in the foreseeable future. In the development plan, different areas are zoned for different uses, such as commercial, residential, industrial, and institutional. Development planning serves as a preventive means of planning.

Realising this importance, the Urban and Regional Planning Law No 88 of 1992 in section 1(a-c) provides for different categories of development plans to be prepared at different levels of government in Nigeria. Information on the preparation of the development plan and their level of implementation was obtained, and the result is contained in Table 2. It is observable that all the agencies in charge of public housing estates prepared development plans to guide physical development activities within the estates. Contrarily, physical development activities outside the housing estate were not guided using development plans. In essence, no city in the study area has an operative master plan or zoning plan to channel its growth and development. Instead, the planning agencies adopt the layout plans, which, in most cases, are prepared by different individual families. Emanating from the use of layout prepared by different families is the problem of coordination, haphazard development, abuse and misuse of land resources as is the case in peri-urban areas of Ado-Ekiti, Osogbo and Abeokuta.

Provisions were made for the service of contravention notices, stop work and demolition orders in sections 60, 53 and 61, respectively. The purpose of these is to ensure that developments are carried out in line with development plans guiding the communities. Virtually all the professionals in the study area adopt the service of enforcement orders, especially on developers who embark on building construction without valid approval or whose development violates planning regulations. Any enforcement notice served may direct the developer to alter, vary, remove or discontinue the development in question. Where an owner of the building was not met on site, the notice will be posted on the wall, and the building will be marked X with red paint. It is noteworthy that red marking of buildings was not provided for in the planning law, yet it is a common practice across the three cities. The reason adduced to this is that paint tends to have a permanent stay on the wall as well conveys information better, especially to those without formal education. The notice pasted on the wall can easily fall off, and the owner can claim ignorance.

There is no doubt the fact that development in our cities is taking place at a swift pace. In most cases, this occurs at a rate higher than the capacity of the human resources available in the planning agencies. To effectively monitor urban growth and expansion will require technological tools. The technological tools identified in the study area capable of guaranteeing effective development monitoring and orderly growth of settlements were GPS and GIS. The finding shows that these tools were not in place in the study area.

Table 2: Development Control Tools and their level of Implementation in the Study Area

City	Agencies	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	FML	X	-	X	X	X	-	-	X	-	-	X	X	X	X	X	-	-
	HUD	X		X	X							X	X	X	X	X		
	ABK																	
	OSM	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	X	-
	PP	X	X	X	X							X	X	X	X	X		
	OSPP	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	B	X	X	X	X							X	X	X	X	X		
	OSH	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	C	X	X	X	X							X	X	X	X	X		
Abeokuta	OSM	X	X	X	X	-	X	-	X	X	X	X	X	X	X	X	-	-
	H	X	X	X	X					X	X	X	X	X	X	X		
	OSPI	X	X	X	X	-	X	-	X	X	X	X	X	X	X	X	-	-
	C	X	X	X	X					X	X	X	X	X	X	X		
	ABK	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	WZP A	X	X	X	X							X	X	X	X	X		
	ABK	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	CZPA	X	X	X	X							X	X	X	X	X		
	ABK	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	EZP A	X	X	X	X							X	X	X	X	X		
	FML	X	-	X	X	X		-	X	-	-	X	X	X	X	X	-	-
	HUD ADK			X	X							X	X	X	X	X		
	ESMP	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	URP			X	X							X	X	X	X	X		
Ado - Ekiti	ESHC	X	X	X	X	-	X	-	X	X	X	X	X	X	X	X	-	-
				X	X					X	X	X	X	X	X	X		
	ADK	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	ZPO I			X	X							X	X	X	X	X		
	ADK	X	X	X	X	-	X	-	X	-	-	X	X	X	X	X	-	-
	ZPO II			X	X							X	X	X	X	X		
	FML	X	-	X	X	X	-	X	X	-	-	X	X	X	X	X	-	-
	HUD OSG			X	X							X	X	X	X	X		
	OSS	X	-	X	X	-	-	X	X	-	-	-	X	X	X	X	-	-
	MLPP			X	X								X	X	X	X		
	OSSC	X	-	X	X	-	-	X	X	X	-	X	X	X	X	X	-	-
	TDA			X	X					X		X	X	X	X	X		
Osogbo	OSSP	X	-	X	X	-	-	X	X	X	X	X	X	X	X	X	-	-
	DC			X	X					X	X	X	X	X	X	X		
	OSLP A	X	-	X	X	-	-	X	X	-	-	X	X	X	X	X	-	-
				X	X							X	X	X	X	X		
	OLD	X	-	X	X	-	-	X	X	-	-	X	X	X	X	X	-	-
	LPA			X	X							X	X	X	X	X		

Source: Author's Field Survey, 2019.

Key:

- Where tool is not in place
X Where tool is in place but not implemented
XX Where tool is in place and implemented

1. Nigerian Urban and Regional Planning Law No 88 of 1992
2. State Urban and Regional Planning Law

3. Environmental Impact Assessment Law No 86 of 1992
4. Land Use Act No 6 of 1978
5. National Urban and Regional Planning Standard
6. State Planning Standards
7. Building Adoptive bye-laws of 1960
8. National Highway Code
9. Master Plan
10. Zoning Plan
11. Layout/Subdivision Plan
12. Contravention Plan
13. Stop Work Order
14. Demolition Order
15. Paint and Brush
16. Geographical Positioning System
17. Geographical Information Systems and Remote Sensing

MLHUDABK: Federal Ministry of Lands Physical Planning and Urban Development, Abeokuta
OSMPP: Ogun State Ministry of Physical Planning
OSPPB: Ogun State Physical Planning Board
OSMH: Ogun State Ministry of Housing
OSHC: Ogun State Housing Corporation
OSPIC: Ogun State Property Investment Corporation
ABKCZPA: Abeokuta Central Planning Authority
ABKWZPA: Abeokuta West Planning Authority
ABKEZPA: Abeokuta Central Planning Authority
FMLHUDADK: Federal Ministry of Lands, Physical Planning and Urban Development, Ado-Ekiti
ESMPURP: Ekiti State Ministry of Physical, Urban and Regional Planning
ESHC: Ekiti State Housing Corporation
ADKZPO I: Ado-Ekiti Zonal Planning Office I
ADKZPO II: Ado-Ekiti Zonal Planning Office II
FMLHUDOSG: Federal Ministry of Lands Physical Planning and Urban Development, Osogbo
OSSMLPP: Osun State Ministry of Land and Physical Planning
OSSCTDA: Osun State Capital Territory Development Authority
OSSPDC: Osun State Property Development Corporation
OSLPA: Osogbo Local Planning Authority
OLDLPA: Olorunda Local Planning Authority

6.3 Challenges Facing Development Control Implementation in the Study Area

The practice of development control in southwestern Nigeria to regulate physical development activities and ensure cities are sustainably functional is not without challenges that render it ineffective. Findings on challenges that confront the implementation of development control tools from the perspectives of professionals in the planning agencies in Southwestern Nigeria are presented in Table 3. These problems were ranked based on their severity level in the study area. The most pressing issue is inadequate working tools and equipment. On a general note, tools and equipment are required by the planning agency to enable it effectively carry out development control activities. Where these are not available will not only hamper the agency's daily activities but also render the operation ineffective. Closely followed is poor funding of development control activities, which accounted for 7.4%. Adequate funds are needed to purchase equipment and the day-to-day running of the agency. Financial starvation of the agency will impair smooth development control implementation.

Without an appropriate development plan to guide physical development activities, cities will continue to grow haphazardly (Ogundele *et al.*, 2011). The lack of a master plan to guide the development activities of developers contributed to the challenges of development control in Southwestern Nigeria. It constituted 7.91% of the challenges. This finding further reinforced the Nigerian Institute Town Planners study that no city in the southwestern region has an operative master plan. Without development plans, development control agencies rely on the layout plans prepared by individual families/landowners to monitor development. The use of different plot sizes, the inability to comprehend the land use of contiguous layout schemes, and the high cost of constructing new roads are some of the issues that could arise from using individual layout plans (Adeyemi, 2016). This confirms previous research findings (Omisore & Akande, 2004) that the presence of multiple development control agencies does not necessarily result in an orderly development, as these agencies frequently operate in opposition to one another.

Other problems that hinder effective development control operations in the study are political interference (6.7%), lack of data and information for decision-making (6.6%),

Insufficient organisational structure to implement development control tools (6.5%), poor public enlightenment (6.1%), and poor staff strength (6.0%).

Table 3: Problems of Development Control Implementation in the Study Area

Problems of development control	*Means*	*Rank*	*Percent*
Inadequate working tools and equipment	5.0769	1	7.7
Poor Funding/insufficient financial stability	4.8846	2	7.4
Lack of Development/Master Plan	4.5513	3	6.9
Political interference	4.4194	4	6.7
Lack of data and information for decision making	4.3846	5	6.6
Insufficient organisational structures for implementing development control	4.3077	6	6.5
Absence of public enlightenment on the importance of development control	4.0385	7	6.1
Poor staff strength	3.9615	8	6.0
Land tussle/dispute	3.8846	9	5.9
Inadequate office accommodation	3.7308	10	5.7
Illiteracy level of the residents	3.6538	11	5.6
Lack of cooperation from the public members	3.5769	12	5.4
Absence of effective and enabling law	3.3846	13	5.1
Overlapping of function with other agencies	3.2692	14	5.0
Inadequate experienced and qualified personnel	3.1154	15	4.7
High planning standards	2.9231	16	4.4
Infiltration of corrupt and compromising officials	2.8462	17	4.3
Total	**65.9614**		**100.0**

Source: Author's Field Survey, 2018

7.0 Summary, Conclusion and Recommendations

It must be emphasised here that development control remains the only tool of physical planning through which order can be restored in the physical development of cities and ensure urban sustainability. However, the implementation of development control in southwestern Nigeria has not been effective. Based on the provision of the Nigerian Urban and Regional Planning Law No 88 of 1992, a development plan should be prepared to channel the growth and development of cities in the country. This is not the case in the cities of southwestern Nigeria, as planning agencies only rely on layouts prepared by individual families. The implication is that there will be a lack of coordination among different layout plans of different families because land use requirements differ from one family to the other, eventually resulting in haphazard development. Moreover, there were inconsistencies in the application of standards used by professionals across the planning agencies in each city, contributing to in-orderliness in the cities.

Equally, there is laxity on the part of planning agency professionals. They often allow illegal developments to persist even after failing to respond promptly to petitions on unauthorised developments. Development is said to be contagious, and where it is not properly monitored, as in the case in the study area, it will lead to physical environmental problems. Delay in response to petition opens a leeway to corruption as this is another factor hindering effective development operations in the study area. The professionals in the planning agencies are most often motivated by non-statutory fees obtained from would-be developers, code-named processing fees, before acting on the proposals submitted to them.

Development control can only be effective when professionals in planning agencies adequately implement the provisions of the law guiding the operation without undue interference from the political class and adequate cooperation from the members of the public. This is because orderliness and the city's sustainability cannot be achieved when developers are not ready to comply with the extant planning regulations confirmed in this study.

The emerging concept of urban sustainability suggests that cross-jurisdictional bridging of ideas is necessary to tackle some of the wicked environmental problems, and the field of development control is not an exemption but, in fact, a centrepiece towards the advancement of city planning and urban sustainability in Nigeria.

It is on this note that this study recommends as follows:

i. It is through the use of development plans that planners can restore order both in the existing human settlement and create new ones which satisfy human needs for living, working, worshipping and recreating, which will serve as guidelines in the development process of the city, not only for the present but also for the foreseeable future thereby making the city sustainable. Therefore, the government must be committed to preparing development plans to channel the growth of settlements in the southwestern region as provided in the Nigerian Urban and Regional Planning Law No 88 of 1992.

ii. Development plans prepared and kept on the shelves to gather dust will not achieve its aim.

Efforts must be made to enforce all the provisions of the plans. Equally, professionals in the planning agencies should embark on regular monitoring to curtail the spread of illegal and mushroom development.

iii. Physical planning and development control is a public service that all citizens must enjoy adequately, regardless of class. Efforts should be made to encourage workers in the planning agencies to carry out their responsibilities in an atmosphere free of undue influence or interference, and adequate funds should be made available for the day-to-day running of the agencies.

iv. An aggressive public enlightenment campaign should be embarked upon to sensitise the citizens on the need to comply with planning regulations to ensure effective control operation in the study area.

v. Efforts should be made to entrench accountability into the system by encouraging online applications and payment to stamp out corruption.

vi. There should be regular training and retraining for the professionals in the planning agencies not only to enable them to perform better on the job but also to make them uphold the ethics of their professions. Erring workers should be sanctioned to serve as a deterrent to others.

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