



**ASSESSMENT OF ENFORCEMENT OF KADUNA STATE URBAN
PLANNING AND DEVELOPMENT AGENCY (KASUPDA)
DEVELOPMENT CONTROL GUIDE IN
UNGWAN PAMA, KADUNA**

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ABSTRACT

This study aimed at assessing the level of enforcement of the KASUPDA Development Control Guide on residential land uses of Ungwan Pama, Chikun Local Government area of Kaduna State. To achieve the aim, the research question on the level of enforcement of KASUPDA development guide in the study area was answered. The data for this research was collected through primary and secondary methods. The sampling frame for the household and physical observation survey consists of 3,956 households. In the case of institutional survey, the sampling frame constitute all the institutions/agencies that are responsible for the monitoring and regulation of development in Kaduna Metropolis. A census was conducted for institutional survey and the sample size for household/compliance survey was calculated to be 98 households using the Yamane Taro’s 1967 sample size formula. Systematic sampling technique was used to administer the questionnaires during the household and compliance survey. The findings from KASUPDA revealed that they usually embark on development control activities in the study area on a weekly basis by the development control officers attached to the area. The control officers usually look for developments without building permit, upon which enforcement notice is issued to defaulters. If the defaulters fail to comply

with the requirement of the authority after 21 days, a stop order is issued. After this, demolition occurs. However, the interviewee noted that development control activities is suppose to be twice a week but due to poor funding and equipments, it is now on a weekly basis. Using the Kerg model for assessing the level of enforcement of planning standards on existing development in Ungwan Pama, it was found that 18%, 55%, 23% and 4% of the respondents said that the level of enforcement is absent, partial, moderate, and full respectively. It therefore requires collective action of the public and private sector of the state to work together in providing development control duties. The paper recommended for new and relevant bye laws, edict, acts and regulations to channel the new course of challenges in the planning profession so that the gains associated with the discipline can be appreciated by all.

Keywords: Assessment, Enforcement, Urban Planning, Development, Control

INTRODUCTION

In developed countries where physical planning is striving, development of neighborhoods, cities, and even rural areas are based on approved plans for such areas and as such non-compliance to space standards is minimal unlike in the case of developing countries where settlements, neighborhoods and the likes are developed without any form of guide/plan. Since public compliance is defined as either a state of being in accordance with established guidelines or specifications, or the process of becoming so, abuse in these countries will be minimal because there are already established guidelines backed up by plans. The sustainable development practices are mostly observed in all developed countries of the world (Zaky, 2018). Although, poverty in these countries is very low this is obtained by the GDP of these nations. The works of Leach and Mearns (1995) and Nelson and Chomitz (2004) have proven that noncompliance to space standards in most developed countries of the world is not related to poverty rather lifestyle, fashion and technological development among other factors. The case is opposite in developing countries where sprawling is the order of the day and settlements are emerging without physical development plans. These sprawling brought about by urbanization as mostly found in peripheral parts of cities which usually accommodate the urban poor

who lack the financial strength to rent or build houses in the city center which are usually part of city's master plan. A typical example is that witnessed in Kaduna Metropolis where many areas where abuse of space standards is rampant are located at the city fringes that were not part of the Kaduna City 1967 master plan. As observed in the study area Ungwan Pama Kaduna, there is weak enforcement of the Kaduna State Urban Planning and Development Agency (KASUPDA) development byelaw guiding development within Kaduna Metropolis which has further facilitated the menace of non-compliance. Recently, a study by Olufemi and Adebayo (2018) in Ado-Ekiti, Nigeria on conformity with development control regulations also established that 55.21% of developments encroached on setbacks and open spaces, a problem motivated by lack of effective development control, leading to challenges such as low environmental quality and loss of urban aesthetics.

Ugwan Pama in Chikun local government is one of the neighborhoods located in Kaduna metropolis where abuse of space standards is rampant and attributed to poverty. Preliminary observation of the study area, suggests that most of the buildings in the area are void of space standards such as setbacks, plot ratio, minimum room size, occupancy ratio, household auxiliary and community facilities, densities/floor area, Maximum distance from house to stand pipe and other facilities among others. This study aimed at assessing the level of enforcement of the KASUPDA Development Control Guide on residential land uses of Ungwan Pama, Chikun Local Government area of Kaduna State. To achieve the aim, the research question on the level of enforcement of the KASUPDA development guide in the study area was answered.

METHODOLOGY

Ungwan Pama is a neighborhood in Sabon Tasha, Chikun Local Government Area of Kaduna State with a total area of 115.3 hectares. Its headquarters is located in Makera. The area is bounded to the west by Ungwan Sunday, to the east by UngwanBoro, North by Narayi and the South by Kachia Road. The survey method was adopted for the study.

The data required for the study is presented in table 1.

Table 1: Data Required for the Study.

Objective	Data Required
To examine the level of enforcement of KASUPDA Development Control Guide in the study area.	Enforcement Activities Level of enforcement Problems associated with enforcement -Relationship of income with compliance to :- -Space standards -Plot Ratio -Setbacks -Building Codes -Availability of housing amenities

Source: Authors' Work, 2019.

The data relating to level of awareness of the urban poor to space standards, the level of enforcement of the law (Kaduna Development Byelaw) in the study area and the appropriateness of legislation and access to land was collected using questionnaires, observation and physical measurement.

The sampling frame for the household and physical observation survey consists of 3,956 households. In the case of institutional survey, the sampling frame constitutes all the institutions/agencies that are responsible for the monitoring and regulation of development in Kaduna Metropolis. A sample size of 98 households was taken using the Yamane Taro's 1967 sample size formula for household and compliance survey and systematic sampling technique was used to administer the questionnaires.

Purposive sampling technique was used for institutional survey and land use survey in order to collect relevant information from institutions and respondents. Both the qualitative and quantitative methods of data analysis were employed for the study. The data for the study was analyzed according to the objective. The descriptive statistics such as the Modified Likert Scale through the application of frequency counts mean scores and grand means; Kerg Model and weightings were employed for analyzing the data for answering questions that carries the respective scaling. Frequency, percentages, and content analysis were employed to analyze supporting on the objective. Similarly, the Kerg model was used in analyzing the data collected on the level of awareness of the

urban poor to space standards and the level of enforcement of the law (Kaduna Development Byelaw) in the study area.

ANALYSIS, FINDINGS AND DISCUSSION

Level of Enforcement of the KASUPDA Development Control in the study area.

In assessing the level of enforcement of planning standards in the study area, the ownership of development approval, enforcement activities, level of enforcement of planning standards, relationship of income with compliance to space standards, assessment of compliance to space standards, assessment enforcement of planning standard in compound and factors responsible for non-compliance to space standards were analyzed using the Kerg Model, Likert Scale and other statistical tool.

Ownership of Development Approval

The finding on figure 1 shows clearly that only 25% of the respondents in the study area have development approval.

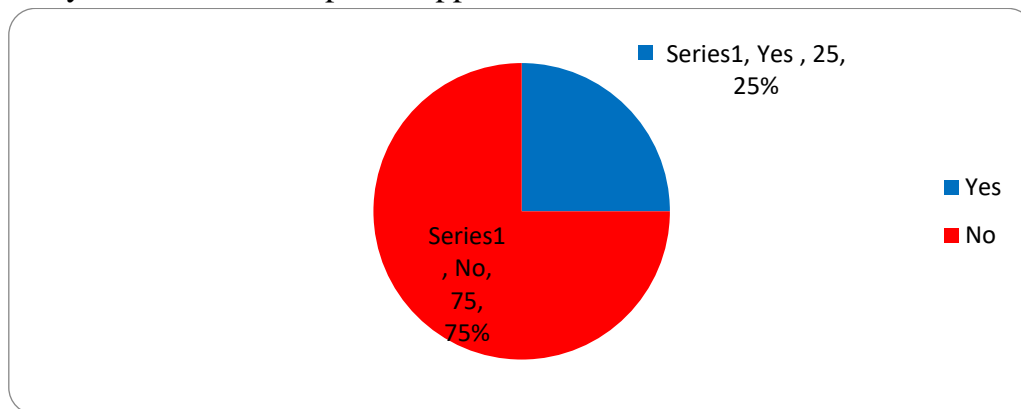


Figure 1: Ownership of Development Approval
Source: Field Survey, 2019.

This clearly signifies that there might be poor adherence to planning laws and invariably poor compliance to space standards in-terms of width, depth of drainage, set-backs, building lines, plot ratio, and ventilation.

Residents' Inability to obtain a Development Approval

The survey conducted as shown in table 2 revealed that 10%, 34%, 45% and 11% of the respondents said that their reason for the inability to obtain a

development approval is because they cannot afford it, it is too much expenditure, they are not interested and for other reasons while none of the respondents went for item 3 and 5 in table 2.

Table 2: Residents' Inability to obtain Development Approval

S/n	Reasons	Number	Percentage
1	I cannot Afford it	7	10
2	Too much expenditure	25	34
3	I don't think the development approval is worth the cost	0	0
4	Not Interested	33	45
5	Such monies are not put to our community's use	0	0
6	Other Reasons	9	11
	Total	74	100

Source: Field Survey, 2019.

This therefore, shows the non-interest of the respondents in obtaining a development approval which could be due to government's in effective monitoring of residents to obtain a development approval.

Enforcement Activities

According to the findings from KASUPDA, they usually embark on development control activities in the study area on a weekly basis by the development control officers attached to the area. The control officers usually look for developments without building permit, upon which enforcement notice is usually issued to defaulters. If the defaulters fail to comply with the requirement of the authority after 21 days, a stop order is issued. After this, demolition occurs. However, the interviewee noted that development control activities is supposed to be twice a week but due to poor funding and equipment, it is now on a weekly basis.

Enforcement of Planning Standards on Existing Development

Using the Kerg model for assessing the level of enforcement of planning standards on existing development in Ungwan Pama, it was found as displayed

in table 3 that 18%, 55%, 23% and 4% of the respondents said that the level of enforcement is absent, partial, moderate, and full respectively.

Table 3: Level of enforcement of Planning Standards

S/n	Variables	Number	Percentage
1	No Enforcement	17	18
2	Partial Enforcement	54	55
3	Moderate Enforcement	23	23
4	Full Enforcement	4	4
	Total	98	100

Source: Field Survey, 2019.

This signifies that enforcement of planning standards by the residents without having development approval is generally moderate. However there is still need for more enforcement measures.

Enforcement of Planning Standard in Compounds (Lighting)

The assessment of enforcement of planning standards in compound was analyzed using the Kerg Model.

Table 4: Enforcement of Planning Standards in Compound (Lighting)

S/n	Variables	Number	Percentage
1	No Enforcement	57	58
2	Partial Enforcement	12	12
3	Moderately Enforcement	23	24
4	Fully Enforcement	8	6
	Total	100	100

Source: Field Survey, 2019.

Data collected revealed that 58%, 12%, 24% and 4% of the households lack enforcement of illumination has partial enforcement, moderate enforcement, an full enforcement respectively. This therefore implies that enforcement of illumination in the area is inadequate.

Enforcement of Planning Standard in Compound (Ventilation)

Table 5: Enforcement of Planning Standard in Compound (Ventilation)

S/n	Enforcement	Number	Percentage
1	No Enforcement	35	36
2	Partial Enforcement	45	46
3	Moderate Enforcement	12	12
4	Full Enforcement	6	6
	Total	98	100

Source: Field Survey, 2019.

The survey conducted revealed that 36% of the households lacked enforcement with regards to ventilation, 46% have partial enforcement, and 12% have moderate enforcement while the remaining 6% have full enforcement. This shows that most households in the area have poor enforcement of ventilation.



Plate 1: Window size not up to Standard

Source: Field Survey, 2019.

Plate 1 clearly shows a typical house with substandard window which invariably shows poor ventilation in the room.

Table 6: Enforcement of Planning Standard of Building Setbacks

S/n	Enforcement	Number	Percentage
1	No Enforcement	28	29
2	Partial Enforcement	35	36
3	Moderate Enforcement	12	12
4	Full Enforcement	23	23
	Total	98	100

Source: Field Survey, 2019.

The findings as shown on table 6 reveals that 29% of the respondent households have no set-backs, 36% have partial enforcement, 12% have moderate enforcement, while 23% have full enforcement. This generally shows that enforcement of set-backs in the study area is inadequate.



Plate 2: Lack of Setback from Access Road

Source: Field Survey, 2019.

Plate 2 shows poor building setbacks from road and violation of building line.

Table 7: Compliance to Building Lines

1	None	45	46
2	Partial compliance	20	20
3	Moderate compliance	27	28
4	Full compliance	6	6
	Total	98	100

Source: Field Survey, 2019.

Table 7 shows that 46% lack building line compliance, 20% have partial compliance, 28% have moderate compliance, while the remaining 6% have full compliance. This signifies that building line compliance is 50/50.



Plate 3: Building Line and Unkept Drainages

Source: Field Survey, 2019.

Plate 3 shows the typical drainage system at the back of individual plots which is mostly unkept, not up to the stipulated depth and width.

Table 8: Compliance to Plot Ratio

1	No compliance	31	32
2	Partial compliance	12	12
3	Moderate compliance	45	46
4	Full compliance	10	10
	Total	98	100

Source: Field Survey, 2019.

Table 8 shows that 32%, 12%, 46% and 10% did not comply to plot ratio, partial, moderate, and full compliance to stipulated plot ratio requirement respectively. It therefore signifies that the residents slightly adhere to plot ratio.

Factors responsible for Non-Compliance to Space Standards

The findings in figure 2 shows that 35% of the respondents agree that the factor responsible for non-compliance to space standards is income, 21% said it is because they have no desire, 17% said it is due to non-awareness, 23% said it is because they are not compelled to obey, while 5% said it is for other reasons.

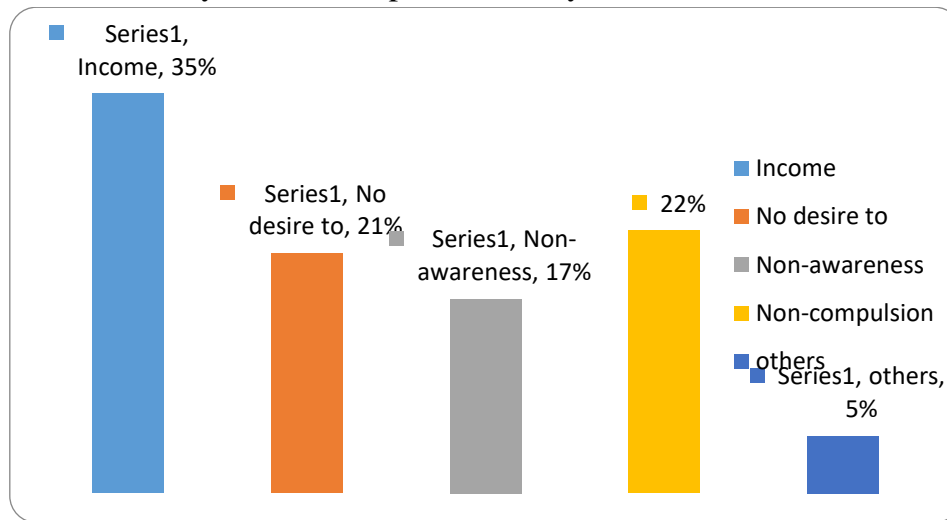


Figure 2: Factors responsible for non-compliance to space standards
Source: Field Survey, 2019.

This therefore implies that income, poor desirability and non-awareness/non-compulsory are the main reasons for non-compliance. Therefore, income generating activities should be promoted in the study area. Also, there is need for proper enlightenment, monitoring and enforcement of building regulations in the state by the agencies.

Factors affecting compliance to development control regulations

From the institutional survey conducted it was found that the following are the factors affecting compliance to development control regulations in the study area.

- i. Maximization of available space
- ii. High professional and statutory fees
- iii. Low levels of public awareness
- iv. Ignorance
- v. Corruption
- vi. Poverty

- vii. Poor environment (Inadequate supervision, inspection and monitoring)
- viii. Complexity of the development control process.

CONCLUSION AND RECOMMENDATIONS

Conclusion

The Study has examined the level of compliance of the stipulated space standards within the study area, where it is worthy to note that guidelines for development in Kaduna Metropolis as stipulated by KASUPDA are not adhered to. It therefore requires collective action of the public and private sector of the state as well as the government in providing means of educating the citizens and skill development of the officers responsible for carrying out development control duties.

Recommendations

Having identified and analysed the Problems associated with development control in Ungwan Pama, The following are suggestion aimed at reducing the problem to a considerable level;

1. Personnel involved in development control in the area should be encouraged, trained and rewarded as at when due. Effort should be made to stream line the conditions for carrying out responsibilities within this setting.
2. Also power vested on the responsible agency should not be abused as it is often done through arbitrary refusal to grant approval. Genuine case must be treated promptly and innovative ideas that can help resolve any teething issue should be employed as when due.
3. The physical planning authority should not be blinded by the quest for revenue generation over density in the area, especially in new emerging cities in Kaduna. Consideration ought to be given to urban cohesion, setbacks, aesthetics and cultural affinity, which are the hallmarks of metropolitan areas and mega-cities across the developed countries.
4. The Urban and Regional Planning law No. 88 of 1992 which has been domesticated by Kaduna state should be strictly adhered to so that its benefits can be achieved by both the government and the developer.
5. There is need for new and relevant. bye laws, edict, acts and regulations to channel the new course of challenges in the planning profession so that the gains associated with the discipline can be appreciated by all.

6. The management of planning approval or project for which development permits are obtained since the planning permit is not the end in itself is a major area that has not been given the needed attention.

7. Public Sensitization: The study found that public sensitization was considered as a remedy to low level/lack of development control awareness level which contributes to development control regulations non-compliance. The concerned stakeholders agreed that the adoption of various means of informing the public about the development control process as well as the development control regulations for each zone. Some of the suggested means of sensitizing the public include regular workshops, seminars, focus group discussions and forums.

8. Simplification of the development control process: It is suggested that the automation of the development applications submission improves on the timeliness of granting planning decisions which saves applicant time. On the part of the development control agency, it saves the time taken for evaluating the development proposal.

9. Curbing corruption: Curbing corruption is one of the major task for any responsible government in a bid to completely eliminate developments. With jail penalties or jail terms for rouge officials, there would be fewer cases of granting development permission to non-compliant development proposals.

10. Revision of Statutory Fees: This will make the fees more affordable and hence encourage development proposal submission.

11. Development of a GIS based development Control System: As a way of addressing poor development control enforcement, a development control GIS system can be developed to aid in approval and monitoring of developments. This would facilitate effective analysis of the appropriateness of planning applications through provision of data pertaining to planning application (spatial information with their attributes) for the purpose of administrative functions as well as for facilitating planning at strategic level. With its powerful capacity for spatial data management, spatial analysis and visualization, GIS provides planners with tools to implement their work more efficiently especially with support of the interactive and user-friendly interface developed to ease the use of the sophisticated system without the need of advanced technical skill. The system will be able to support planning and decision-making because it offers relatively quick response to analytical questions and monitoring issues.

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