# Assessment of Development Control Enforcement in Girei Township, Adamawa State, Nigeria

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#### **Abstract**

This paper provides a case of assessment of development control regulations enforcement in Girei, Adamawa State in Nigeria. Planning enforcement has been regarded as the most complex part of the planning process. The indiscriminate erection of structures in the Girei urban environment has turned them in to urban environmental nuisance. This have given planners and urban managers tough time on how to address the disordered physical environmental consequences. This study assesses development control regulations enforcement in Girei, Adamawa State. Questionnaire survey of 360 households with the aid of cluster and random sampling techniques were used and data were obtained from the relevant respondents and establishments. The target population is 3,600 households. Ten percent of the target population is used as the sample size. Descriptive statistics is use in the analysis, this includes, frequency, mean and percentages while analysis of Variance using ANOVA is also used to test the significance difference between Girei environmental quality and development control compliance level in five selected wards of Girei township. Findings show low level of public enlightenment, non-compliance to buildings regulations, illiteracy, inadequate distribution of layout plans. This has resulted to environmental degradation, inadequate public purpose space, loss of desirable neighbourhood character and inadequacy of parking spaces. The study recommends for improved level of awareness campaign and enforcement of strict compliance regulations, review of regulations and the implications of change from Development Control to Development Management in physical planning practices.

**Keywords:** Environmental Quality, Enlightenment, Development Control, Urban Management.

#### INTRODUCTION

Urban environment plays significant role in the biological, social and economic life of every society. The number of people living in urban centres continues to grow and it is expected that the global city population will increase from 2.76 billion in 1995 to 5.34 billion in the year 2025. (Ngetich, Opata and Mulongo, 2014). Most of the people coming to the urban centres are job seekers who settle in any kind of building hoping for better future. This leads to pressure on existing over stressed urban infrastructures (Ngetich, Opata and Mulongo, 2014). Smith (2014) identify Enforcement as making sure that people obey a particular law or rule. Development Control Enforcement is concerned with ensuring that the urban environment is organised and developed in an orderly manner to support robust health and sustainable development (Arimah and Adeagbo, 2000). Enforcement is meant to control the excesses of people concerning the development of urban land and the general environment (Ibrahim and Emmanuel, 2014). The effects of the non-compliance of development control to the society include unhealthy environment, inadequacy of provisions of access and parking space as well as children's playgrounds and loss of lives and property due to collapse of buildings(Addai, 2014). There is also inadequate supply of hygienic and infrastructure facilities for the urban population (Ojo-Fajuru and Adebayo, 2018). The increase in deterioration of the urban areas in Nigeria called for genuine focus on urban management (Ahmed and Dinye,2011). Influx of migrants in urban areas in Nigeria leads to deterioration of urban environment, insecurity and outbreak of diseases (Ojo-Fajuru, and Adebayo, 2018). There are problems in the enforcement of development control based on the provision of the planning law which this study will identify with particular reference to Girei, Adamawa State. Availability of Urban planning laws does not ensure a commensurate level of achievement of urban management, as many factors influence the final planning output (Qgundele *et al*, 2011). Presently enforcement of development control in Nigeria lacks necessary human resources, logistics as well as community support (Bogoro and Nghalmi, 2014). It also lacks the logical supervision from public agencies due to a conflict of interest (Efobi and Anierobi, 2013).

Development Control Enforcement as contained in the Nigerian Urban and Regional Planning law decree 88 of 1992 is aimed at improving the quality of the development control process (Odumosu and Fagbohun, 2010). Enforcement of planning law is the responsibility of the planning authority or the planning Board (Adeyeye, 2010). Planning legislation prescribed any development which does not have permission as an illegal development and is amount to breach of conditions laid down in the planning permission (Jimoh, *et al*, 2018). Lack of regular enforcements have led to the decay of towns and development of slums and shanty settlements at the periphery of cities. This has made local planning authorities not able to control development effectively as buildings are being constructed without approval layouts. This because only a few people recognise that the management of the urban environment can only be effective with a sound development control in urban centres (Raji and Attah 2017).

# **Concept of Development Control Enforcement**

Development control enforcement is the most complex of the planning process and it is essential those involved should keep up-to date and fully comprehend its complications (Aluko, 2011). The Nigeria Institute of Town Planners NITP (2009) has run unique and practical workshops on enforcement designed for Enforcement Officers, Development Managers and Planning Officers. The workshops aimed to keep these staff up-to-date in enforcement practice and keep them abreast of relevant case law. Preparation of the development plan is the basis for determining the planning applications while planning authorities process such applications (Odumosu and Fagbohun, 2010). Effective enforcement of development control regulations lead to the quality of outcomes in urban environment Lamond *et al* (2015). The common complaints to the Planning Authorities Office in recent years are associated to enforcement (Adeyeye, 2010). The consequences of getting something wrong in planning process can be serious and have far reaching implications (Efobi and Anierobi, 2013).

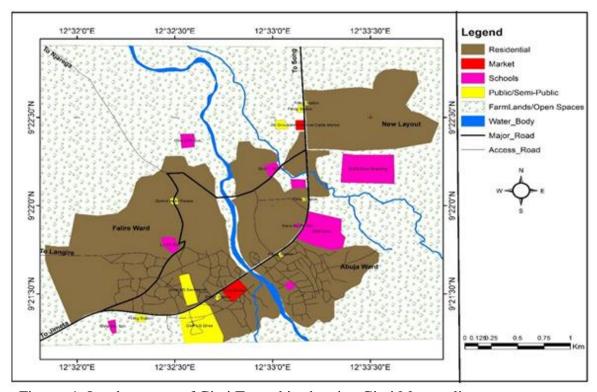
As a follow-up to Decree 88 of 1992, was the amendment of some of its parts and sections now called Urban and Regional Planning (Amendment) Decree No. 18 of 1999. This amendment is to ensure increased compliance with planning law (Omole and Akinbamijo, 2012). The introduction of a culture of enforcement is to ensure that the planning control system works for the whole community (Aluko, 2011). Therefore, the Development Control Enforcement is the act of compelling compliance with development control regulations to the developers (Harris, 2015). Some high profile cases of disregard for planning law have highlighted ongoing problems with compliance with the law. Lack of planning enforcement can lead to an uneven playing field for economic operators (Aluko, 2000). Inadequate enforcement of Development control may result in to damage to structures, the environment and built heritage of the communities (Aluko, 2011).

Planning involves study of the urban environment as it is affected by growth and shifts in population, technological developments, changes in economic activities and their distributions.

whereas, Development Control Enforcement promote efficient and robust physical, mental and social wellbeing of community in a sustainable manner (Wathome, 2016). Urban planning focused on demarcating the urban space to thematic areas, zones/ sub-zones and layouts and the production of plans and maps to guide development along a determined framework and goal (NITP,2009). The interest of the Enforcement Officer is to ensure that development proceeds along a well-planned pathway to limit hazard and promote public health. He focuses on organising the urban areas and designing settlements. It deals with zoning, the infrastructure through effective and efficient development control enforcement. The output of urban planning is a spatial representation in a form of a map or diagram depicting what is to be found on the exact location. The concept, ideology and the goal of urban planning is the orderly and sustainable development (Ajayi, 2015). The problem of poor housing, improper waste management practices, chaotic transport system, inefficient infrastructures and public utilities, can be traced to poor enforcement of development control regulations Ogundele et al ((2011). These problems are worsened by poor planning culture among policy makers and developers; non-adherence to planning principles and guidelines as well as violation of town planning laws and regulations (Ngetich et al 2014).

#### **Study Area**

The study area covers Girei town of Adamawa state, one of the 3 metropolitan local governments areas forming the greater Yola (Figure 1). The Girei town is characterised by high annual population growth of 3.6% and rapid urbanisation of about 10% (United Nations 2019). Based on 2020 projected population the study area has 129,855 people with male of 66,906 and female of 62,949 populaces. There is a visible mixed residential densities in the metropolis where in most of the traditional wards residents with mixed socio-economic position dwell in same the residential areas (Ileasanmi, 1999), both the high, medium and low income earners dwells in same wards.



Figures 1: Land use map of Girei Township showing Girei Metropolis

#### **METHODOLOGY**

Survey research approach was used for the study. A total of 360 respondents were designed for this research, cluster and random sampling techniques were used and questionnaires were administered proportionately to household heads in the 23 traditional wards of Girei town in Adamawa State, being the study area. The sampling frame include: Land use developers, tenants and staff of Adamawa State Urban Planning Development Authority (ASUPDA) Girei Zonal Office. The sample size was obtained in proportion to the study population using 95 percent level of confidence (Krejcie and Morgan 1970). The secondary data include the land use maps, household data and population of the study area as well as the contravention notices which were source from National Population Commissions, Adamawa State Primary Health Care Agency and Adamawa State Urban Planning Authority respectively. Descriptive statistics such as frequency, percentages and mean were use in addition to Microsoft excel software which was also used for the calculations of analysis of Variance (ANOVA) to test the significances difference between environmental quality and development control compliance in the five selected neighbourhoods in Girei township.

#### RESULTS AND DISCUSSION

Results indicated (65%) constituted Landlords and 32% were tenants which suggested that majority of the respondents are landlords. The socio-cultural activities of residence of the area influence in effective development control compliance in the township. The results specified Girei which is mostly inhabited by the indigenes and traditional people of the area with larger proportions of polygamous families. This led to the construction of traditional buildings in form of chaotic residential areas. The traditional buildings essentially provided basis of shelter for the polygamous family structure, the typical of the traditional Hausa- Fulani group living in Girei. This results verified Tamani and Oliver (2018) which stated that socio-cultural factor such as marital status and household size renders ineffective compliance to development control regulations in Nigeria. In addition, majority of respondents (58%) age between 35-55 years and earned between N40, 000 and N80, 000 only per month, the youth constituted the majority (58%) of the respondents with lower wages and lower capacity to comply with planning standards than the elders (Figure 2). The outcomes of the study show most of the respondents earned less than a dollar per day suggesting the reasons for erection of the poor standards of housing structures. The results also show the higher the age group of the respondents the more their incomes. This results reinforced the findings of Ajayi (2015). Most of the youth coming to the urban centres are low income earners who settle in any kind of building hoping that one day things will get better. These have led to the decay of cities and development of slums and shanty settlements at the periphery of cities.

The occupations of respondents indicating trading (28.7%), farming (45.0%) and civil servants (24.5% - figure 3). The data indicated the majority of the respondents are subsistence farmers with low capacity to construct quality residential units. The job of the respondents determines the residential density he/she will allocated to and the residential cost he/she may develop which influences the capability to comply with planning regulations or not. Since majority of the respondents are farmers with lower earnings and lower capability to comply with the planning regulations and hence the development of slums and shanty houses in Girei. The results verified the findings of Aluko (2011) that the private residential development in high-quality residential neighbour-hood display higher levels of compliance than the medium- and low-quality residential neighbourhoods on account of the higher occupational background of their inhabitants.

Figure 4 shows that 23.4% had only primary certificates, 38.8% hold GCE/SSCE and 25.2% had (ND/HND), while only 10.4% are Degree holders. The data show that majority of the respondents had only GCE/SSCE as credentials which suggested low educational qualification as one of the reasons for the ineffective development control compliance and as such the indiscriminate construction of illegal structures in Girei. The non-graduates' developers have low regards to procedures on development control enforcement and planning standards. This results strengthened the findings of Efobi and Anierobi (2013) that poverty and low educational background of developers are among the causes of unauthorized developments in towns and cities of Nigeria. Until developers are made to be aware of what planning is, and why it is important, as well as what the planning law expects of the citizen, development control compliance will continue to be ineffective. On his own part Aluko (2011) observed educational qualifications of residence influences awareness of planning regulations. Since a neighbourhoods can be seen as a proxy for educational experience of its inhabitants, the educated and well-off households are more likely to be aware of development planning regulations and extent of development control compliance.

About 29.9% had their information on Development Control Enforcement from the public, 15.4% from Planning Authority Staff while only 6.8% were informed through the media (Figure 5). The results show majority of the respondents get the Development Control Execution information from public. The statistics suggest that the planning authorities' mobilisation to public through the media in Girei is inadequate as the respondents decried that planning programmes is rarely aired in radio/television. There some very little level of awareness from the respondents on the general concept of development control enforcement. The low level of awareness appeared quite high especially in the low-quality residential neighbourhoods, which were inhabited mainly by low education and low-income households. The results supported the outcome of Aluko (2011) that the extent to which developers were aware of the existence of planning regulations determine the level of compliance with these regulations. In addition, only (21%) of respondents identified the existence of layout plan in the study area, while (79%) of respondents noted that there is no layout plan in their neighbourhoods. The implication of this results is critical to urban development planning in Girei which led to the haphazard development as the order of the day in the township. This results collaborated with the findings of Adeyeye (2010) that the planning authorities will be unable to regulate development effectively if buildings being constructed are springing up without approval of layouts plans.

Figure 6 shows the Development Permit Applications received in Girei Town from the year 2014-2018. The result shows, in 2014 ASUPDA received only 23 applications approved 21 deferred 1 and rejected 1 application. In the year 2018, 52 applications were received, approved 49, deferred 1 and rejected 2. There was remarkable disparity between the number structures raised on the ground annually and those that were approved by the authorities. Although Planning Authority may compel an application from a developer to vary, alter, remove or discontinue development but the inference observed was that majority of physical developments were without planning permission in Girei. As a result, unfavourable environment for living is being develop. This results collaborated with the findings of Adeyeye(2010) if the development control is sound with approval of planning permissions it is likely to avoid slums, squatter settlements, polluted environments, unregulated and mixed land uses and other environmental nuisance in urban areas. Whereas Alterman(2013) decried that the inequitable urban structure, unequal access to the urban economy and unbalanced

development of cities and spatial segregation are some of the reasons of building permit contraventions.

The distribution of access roads (22.5%) of the respondents specified there is enough access roads leading to their residents, while (77.5%) were not having access roads connecting their compounds (Figure 7). This data suggested that most neighbourhood in Girei do not have standard access roads connecting the wards and those areas with very poor accessibility require urban renewal. This results verified the findings of Tamani and Oliver(2018) that when illegal constructions are springing up indiscriminately in towns, open spaces are endangered causing lack of access roads in the community. However, Efobi and Anierobi (2013) argued that effective development control compliance open easy access and efficient circulations, as well as provide adequate roads setbacks and enhances proper circulation in towns and cities. This can be effectively achieved through evaluating development control processes especially during construction period.

Figure 8 shows that (29.3%) of the respondents abide to the observation of standard building lines during developments, and (70.7%) were defaulters of the same. While each developer seek permission to comply with the requirements of the planning law, the difference between the approved plans by the planning authorities, and what is erected on the ground is amazing. The statistics suggested that majority of the developers in Girei have extended their buildings beyond the utility line and some have encroached into roads setbacks, whereas some developers even erected some commercial buildings under some high tension lines. These include the establishment of warehouses and container yards in the town without development permits which causes traffic congestion, noise and accidents. This results supported the outcome of Wathome (2016) that challenges associated with non-compliance of development control regulations include inadequate access roads and insufficient provision of spaces for infrastructure facilities along the roads in urban areas.

Figure 9 reveals that (38.7%) of the respondents had adequate airspace, while (61.3%) had inadequate air space in their buildings. Large number of residential units has been converted into either commercial or light industries or other uses in Girei without consideration to the suitable sites and ventilations desires of the new sites. Compacted clusters of buildings in Girei is a link of outbreak of the airborne disease during the hot season due to the poor ventilations. Developers find it easy and gainfully to establish a business within a short period of time through mere change of land use, rather than going through a building construction process and approval. All buildings need adequate ventilation of air space to avoid outbreak of the epidemics. This results held the outcome of Aluko (2000) that lack of enforcement of zoning regulations may result to the poor ventilations of buildings in communities, damage the environmental, natural and built heritage of the urban areas.

However, in determining the relationship between development control compliance level and environmental quality in the five selected wards of Girei town. Analysis of Variance (ANOVA) using 95 percent level of confidence is used. By comparing the mean values for these variables, the test yielded F=0.11< (less than)  $Fcv=2.76(i.e.\ P=0.98)$ . The results indicated that there is no statistically significant difference in environmental quality and development control compliance in the various residential areas of Girei town. While substantiating the outcome of Adeyeye (2010); Aluko (2011); Raji and Attah (2017) that the management of the urban environment can only be effective with a sound development control of the structural development in urban centres. Findings implied that, the more developers comply with development control practices, the better the quality of the urban development in Girei. On the

other hand, Ola (2018) noted that the main purpose of development control is 'to ensure the orderly and rational development of land to create sustainable human settlement that accommodate a variety of land uses to meet the needs of the people who live in these settlements.

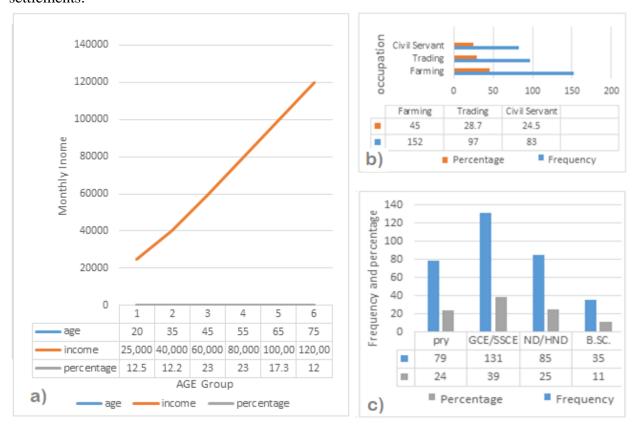


Figure 2: a) Age and income of respondents, b) Occupation of respondents, c) Qualification of respondents.

### **Ownership Status Age and Income of Respondents**

The respondents (65%) are Landlords while 32% were tenants which suggested that majority of the housing developers in Girei township are landlords. 12.5% of the respondents earned N20,000 only per month at 25years while 12,2% of the responents earned N40,0000 only at 35 years. Others are 23% each of the respondents who earned N60,000 and N80,000 per month respectively. Wheareas 17.3% of the respondents get N100,0000 per moth at age of 65 years and 12% made N120,0000 at 75 years separately The results indicated a positive correlation between age group of the respondents and their income. The results also display most of the respondents are poor and were earning less than a dollar per day suggesting the reasons for non-compliance of development control regulations and hence the erection of the poor standards of housing structures in Girei Township (Figure 2).

### Occupation and qualification of Respondents

Figure 3 shows that respondent's occupations vary mainly from trading(28.7%), farming (45.0%) and civil servants were (24.5%). The data show that peasant farmers are the highest respondents which suggested the reasons for the indiscriminate erection of dilapidated structures at Girei township.

0

Yes

e)

Frequency

100

238

Percentage

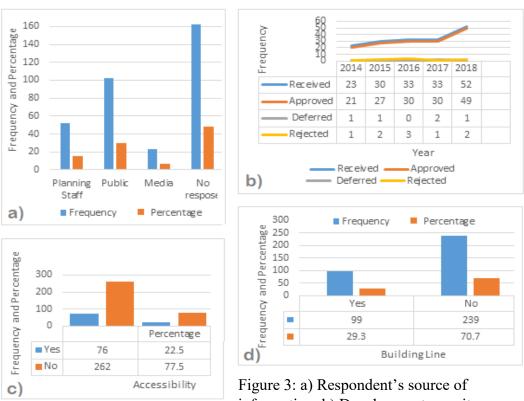
38.7

61.3

Figure 4 shows the respondent's qualifications, differ from 23.4% had only school leaving certificates, 38.8% hold GCE/SSCE certificates and 25.2 % had National Diploma/Higher National Diploma (ND/HND), followed by 10.4% with Bachelor of Science Degree (B.Sc.). The data show that GCE/SSCE is the majority qualifications of the respondents which suggested low learning as one of the reasons for the indiscriminate erection of illegal, structures in the study area.

### Respondents Source of Information and existence of Layout plans

Figure 5 shows the respondent's sources of information on Development Control Enforcement. 29.9% had their information from the public, 15.4% from Planning Authority Staff while only 6.8% were informed through the media. The data suggested there is inadequate mobilization of planning activities and the planning programmes are rarely aired in the media. In addition, the results show the distribution of layout plan in the study area where only (21%) of the respondents identified the existence of layout plans in their areas, while (79%) of respondents noted that there is no layout plan. This shows that there are few layout plans in the study area. The implication of this results is responsible to the organic development as the order of the day in Girei township.



information, b) Development permit application review, c) Accessibility of 250 building, d) Observation of building line, Frequency and Percentag 200 Yes ■ No e) Adequacy of space in buildings. 150 100 50

### Accessibility of the buildings

Figure 7 shows only (22.5%) of the respondents indicated there is enough access roads linking to their residents, while (77.5%) were not having regular access roads connecting their areas. Standard access road is a function of abiding to building plan regulations and thus enhances a good living environment. Areas with very poor accessibility in Girei however, needs urban renewal.

### **Development Permit Applications**

Figure 6 shows the distribution of Development Permit Applications received in Girei Town from the year 2014-2018. ASUPDA received 23, approved 21 in the year 2014, deferred and rejected 1 application respectively. Whereas in the year 2018, 52 applications were received, while 49 were approved, deferred 1 and rejected 2. The data shows few applicants being submitted by the developers for development permit annually in Girei.

### **Observation of Building Line**

Figure 8: shows the distribution of reflection of building lines as only (29.3%) of the respondents abided to the observation of building lines standards during development, while (70.7%) were defaulters of the same. This results suggested that majority of the private developers in Girei township extended their buildings beyond the utility lines. This may be due to lack of thorough sites inspection and monitoring by the planning officers from ASUPDA during constructions, or the developers may have bribed their way from the monitoring officers for more lands to be extended to their plots.

# Adequacy of Air spaces of Buildings

Figure:9 reveals that (38.7%) of the respondents indicated that their buildings had adequate airspace, while (61.3%) specified there is no adequate air space in their residential areas. Compacted clusters of buildings in Girei are tie to to organic growth of physical development in the township. With this development, there is a link of outbreak of the airborne disease in some areas during the hot season with the poor ventilations of the structures. Residential buildings need adequate ventilation of air space to avoid outbreak of the epidemics.

The relationship between Development control compliance level and environmental quality in the five selected wards of Girei town have been determined. The proposed null hypothesis stating that there is no significant difference between development control compliance level and environmental quality in Girei was tested using the Analysis of Variance (ANOVA). By comparing the mean values for these variables, the test yielded F=0.11< (less than) Fcv=2.76 (i.e. P=0.98), so we accept the null hypothesis and validates the hypothesis that there is no statistically significance difference between development control practices compliance level and the quality of the environment in the study area.

#### **CONCLUSION**

Based on the results, the following conclusions were arrived at: The enforcement measures in the development control regulations are insufficient in Girei. The regulations regarding enforcement of development control are in existence in the study area, but were not uniformly implemented and not effectively enforced across the township. Effective enforcement of development control regulations is a step forward for sustainability in the urban built environment. The planning law has some flaws that must be addressed, for it to effectively perform the regulatory functions. There is need for proper participation of developers, allied

professionals and other stakeholders for effective compliance with the enforcement measures. The community has a key role to play in ensuring effective enforcement of development control regulations, an informed citizenry is requirement for improved level of awareness campaign and enforcement. There is a need for adequate distribution of layouts plan, funding of planning authorities, others are stiff disciplinary measures on violators, review of regulations and the implications of change from Development Control to Development Management in physical planning practice. Planning authorities require support of Political leadership in order to succeed in development control enforcement as well as to sensitize public through media, focused group discussions, exhibitions and seminars on their programs and objectives.

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