

Planning Approval Process: An Analysis of Property Developers' Experiences in Southwestern Nigeria

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ABSTRACT

Globally, development control is one of the main activities of the planning agencies aimed at ensuring sustainable development in human settlements. Previous studies primarily explored compliance with planning regulations whereas issues of awareness, satisfaction, and willingness to participate have not been adequately dealt with. This study evaluates the property developers' experiences with the planning approval process (PAP) in southwestern Nigeria. The specific objectives are to (i) probe property developers' awareness of the legality of the PAP, (ii) examine property developers' satisfaction levels regarding the PAP, (iii) determine property developers' willingness to participate in PAP discourse, and (iv) examine problems associated with the PAP. Purposive and convenience sampling techniques were adopted to elicit data from 96 respondents using a structured questionnaire. Data were analyzed using both descriptive and inferential statistics. Major findings showed that 68.8% of the developers were aware of the legality of PAP, 70.8% expressed satisfaction with the PAP, and 78.1% were willing to participate in public discourse about PAP. Fishers' Exact test revealed that the location of developers ($\chi^2= 6.907, p=0.025$) and gender ($\chi^2= 0.000, p=0.023$) were significantly associated with developers' awareness of the legality of PAP. The Spearman Correlation test indicated a significant association between developers' satisfaction with PAP and their support for seeking planning approval ($r=0.339, p=0.001$) as well as planning approval processing time ($r=0.250, p=0.026$). The study recommends aspects of PAP the planning agencies need to improve upon towards achieving sustainable PAP. The study outcome will be useful for policy formulation in areas of education and awareness creation, planning approval processing time, and procuring documents required by the planning agencies. Addressing these issues will mean property developers will derive greater satisfaction from planning agencies' services and will be inspired to participate in planning matters.

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1. Introduction

Development control is an integral part of physical planning (Wahab, 1988) and is widely executed globally. It can be traced to the United States in the 19th century in New York City. Then it was deployed to achieve an effective master plan for certain areas by applying diverse control mechanisms comprising land-sub division regulation, zoning ordinances, and restrictive covenants.

However, in Britain, it emerged by the enactment of an act of parliament, Cap 54 of 1933 (Ogundele, Ayo, Odewumi, & Aigbe, 2011). In Ghana, it dated back to 1859 when the Municipal Ordinance of 1859 was promulgated to regulate spatial development in municipalities comprising Accra, Cape Coast, and Sekondi-Takoradi (Ahmed & Dinye, 2011). For Sri Lanka, development control can be traced to the introduction of the Municipal Council Ordinance of 1865 and the Sanitary Ordinance

of 1882 (Dissanayake, 1987). In the case of Nigeria, it was argued that development control predates the colonial administration when traditional rulers in different regions oversee development by employing traditional methods of environmental control measures (Oyesiku, 1988; Obabori, Obiuwevbi & Olomu, 2007). Though these measures were not written regulations (Odugbemi, 1993 cited in Oyesiku, 1998), it was based on native law and custom under customary law, which thus made them legal. However, a formal attempt to control development was first made in Lagos in 1862 when the Town Improvement Ordinance was enacted (Onokerhoraye, 2006; Oyesiku, 1998; Oyewale, 2001). But the legal prescription for the building was believed to commence in 1960 with a law known as Western Region Law of Nigeria 171 of 1960, which was concluded to have emerged from the Public Health Law No. 24 of 1957 and the Local Government Law of Nigeria No.12 of 1957. One of the main thrusts of the law was that “no building should be erected without a building plan, duly certified by the health officer, the works’ supervisor and the town planning authority, and no person may utilize more than half of the total building plot for the building” (Agbola & Alabi, 2010, p. 4). Consequently, development control is defined as the process of ensuring that developments are carried out as approved by the local planning authority to ensure that building and land subdivision (layout) plans are implemented as approved by the local planning authority (Obateru, 2005). For the local planning authority to exercise this legal right, development control utilizes some instruments such as building and land subdivision regulations (Obateru, 2005). These regulations or bye-laws are termed planning or space standards. However, this prelude suggests that development control “covers everything for which planning permission is needed” (Keeble, 1992 cited in Ahmed & Dinye, 2015, p. 216).

Furthermore, development control encompasses core aesthetics, access, convenience, and safety principles. The implementation of control and order in the built environment is the only way to guarantee sustainable development because building control is geared toward ensuring the health and safety of building users and facilitating sustainable development (Ojelabi, Oyeyipo, & Afolabi, 2017). Conversely, the ineffective execution of development control legislations causes human settlements to suffer from illegal development with encroachment on public spaces thereby disrupting public spaces (Olufemi, & Ambrose, 2018; Peters, 2015), thus the need for obtaining planning approval (permit) by the prospective developers cannot be overemphasized. The planning approval process in Nigeria is not without challenges. And of concern and worrisome in southwestern Nigeria especially in Lagos State is the spate of illegal developments and building collapses being experienced. Several studies have explored compliance with planning laws and regulations while the issues of awareness, satisfaction, and willingness to participate in the planning approval process remain unresolved.

2. Conceptual Clarifications and Literature Review

2.1 Concept of Planning Approval Process

The planning approval (development permit) process is one of the instruments of development control (Ahmed & Dinye, 2011;

Yaakup, Johar, Sulaiman, & Che Ngah, 2014; Odekunle, Akindede & Adebayo, 2019). Salau and Ogunleye (2015) define planning approval as a process through which the Planning Permit Authority secures the conformity of the proposals or applications with the Physical Development Plans. The planning approval process (PAP) is crucial to development control because it places responsibilities on the actors involved in the development control process. Both the planning agencies and prospective developers have a role to play. While the planning agencies will focus on implementing the planning law and regulations by ensuring that the development executed is within the provisions of the planning law and regulations, the prospective developer is expected to seek the permission of the planning agencies before embarking on the implementation of proposed plan (Ahmed & Dinye, 2011; Salau & Ogunleye, 2015).

The Nigerian Urban and Regional Planning Decree No 88 of 1992 as amended in Decree No 18 of 1999, which subsequently became a Law of the Federal Republic of Nigeria CAP 138 (LFN 2004) define what a development permit (planning approval) means. In Section 91 of the Act, “development permit” is interpreted to mean “permission to develop any land or buildings granted by the authority empowered to give such permission under this Act.” Beyond the definition, various issues regarding planning approval are adequately provided for in the Nigerian Urban and Regional Planning Act 2004. Despite the laudable provisions of the Act and its potential for the built environment, only three out of the 36 states in Nigeria have been able to domesticate the Act (Akingboye, 2021).

The PAP is fraught with challenges worldwide, particularly the developing countries (Obateru, 2005). This assertion has been established by studies in Sri Lanka (Dissanayake, 1987), Ghana (Hammah, 2015), Malaysia (Yaakup, Johar, Sulaiman, & Che Ngah, 2014), and Nigeria (Agbola & Alabi, 2010; Salau & Ogunleye, 2015; Odekunle et al., 2019). For instance, in Nigeria, some of the challenges identified are political interference, bureaucracy bottleneck, and corruption by the practitioners (Agbola & Alabi, 2010; Ojelabi et al., 2017; Salau & Ogunleye, 2015). The identified challenges have also been aggravated by post-approval scenarios of the disregard for the approved plans and drawings (Windapo & Rotimi, 2012), and disregard for building regulations (Ojelabi et al., 2017). Some of these problems have implications for the real estate sector in form of the development of illegal structures, loss of time, cost overrun, and project abandonment (Salau & Ogunleye, 2015).

2.2 Literature Review

Studies conducted in different contexts exploring development control and specifically planning approval are replete in literature. Dissanayake (1987) reported the ineffectiveness of development permit systems in Colombo (Sri Lanka) and posited that developers seek planning permission for the sake of having access to essential services (water and sewerage connections) but do not fulfil the requirement of the law. And as soon as developers obtain access to these services, conforming to the regulations is no longer their business as they get involved in the construction of unauthorized extensions and alterations, and changes of use of

buildings in the city. He also found out that some developers tried to evade the planning permit by buying a property with essential services, which they consider an easy route to obtain permits. Those who cannot afford essential services and meet up with the requirements of the law, do not bother about the development permit. Lastly, there was a lack of awareness about the existence of a development permit system, despite the literacy rate of Colombo residents being as high as 94%.

A study in Ibadan (Nigeria) reported that only 10.0% have approved building plans in Mapo (a neighbourhood within the core of the metropolis) while 41.3% of houses have approved plans in Apete (a residential neighbourhood in the peri-urban interface of the metropolis) (Adeniji & Ogundiji, 2009 cited in Agbola & Alabi, 2010). Obabori et al. (2007) in their study conducted in Ekpoma, Nigeria discovered that of the total 1,879 buildings that were registered for building plan approval, 1722 (91.6%) were approved by the Local Planning Authority while only 157 (8.4%) were unapproved. A study by Ogundele et al. (2011) that examined the challenges and prospects of physical development control in Festac town Lagos revealed that residents illegally convert residential buildings into mixed-use with the rate of contravention put at 48% among the residents. This was believed to have been aided by the Federal Housing Authority (FHA) officials who get involved in bribery and corruption. This further explained the low rating of FHA performance regarding development control where 22% of the residents rated their performance as good, 65% said fair and the remaining 13% stated poor.

In another study in some capital cities in southwestern Nigeria, it was found that Ibadan residents neither agree with the roles of development control agencies nor were satisfied with the activities engaged in by development control agencies. But the result from Osogbo and Ado-Ekiti indicated the level of agreement and satisfaction with development control activities was higher and highest respectively (Olowoporoku, Daramola, Agbonta & Ogunleye, 2017). Odekunle et al. (2019) sought residents' perceptions regarding development control practices in Abeokuta and findings showed that 91.8% of the residents thought that obtaining a development permit (planning approval) was too expensive, the primary reason for building without a development permit. The results imply that residents belonging to medium and high socioeconomic status find it convenient to apply for a development permit (planning approval). Residents with development permits also expressed their level of satisfaction with the development permit process revealing that 58.7% were dissatisfied whereas 41.6% expressed satisfaction.

Ahmed and Dinye (2011) examined the enforcement of development control in Wa Township in Ghana. Citing the Town and Country Planning Department in Wa, the total number of permit applications received is less than 10% of the developments each year. The non-acquisition of permits was adduced to the length of processing and ignorance. The developers who have building permits also expressed their frustration about the length of time required to acquire a permit, which thus confirms the reason why some developers do not have permits. Another study in Ghana sought to understand the reasons for the increasing

amorphous planning and unapproved development/construction and identify the various planning approval problems. The findings indicated that “applicants must adhere to a series of unnecessary steps that influence the approval workflow process” as well as “the planning application workflow is unstructured and inconsistent, as individual workflow team members dealt with applications in a different manner.” The study also revealed that the complexity of the planning approval process has considerable effects on the processing period (Hammah, 2015).

Salau and Ogunleye (2015) analyzed the challenges of development control in Lagos State, southwest Nigeria with a focus on the planning permit process as laid out in the Lagos State Urban and Regional Planning and Development Law of 2010 amongst others. They proffered strategies for achieving efficient processing of planning permit applications based on some challenges faced by the process in Lagos. The strategies include the decision to grant or refuse a planning permit should be with the consideration of public interest; the development of low order plans that would be specific about what should be where; the appropriate communication between physical planning agencies and property developers at every stage of planning approval process; the incorporation of ICT into planning permit process for effective communication; and the systematic approach to the incorporation of ICT as a new element into urban and regional planning. Other strategies put forward comprise the need to view physical planning as a means to promoting common good rather than revenue-generating means; transparency in the planning permit process such that the process is open and seen to always follow a logical process; the setting of a definite time frame in which the decision to approve or disapprove is taken; and retraining of staff when introducing new regulations, methods or tools; and the provision of adequate functional equipment (vehicles, archiving facilities, base maps, etc.) to enhance productivity and efficiency.

Ojelabi et al. (2017) assessed the building control measure in Lagos State and found that the processing and scrutinizing of buildings plans for approval is the measure ranked highest among the measures observed for the enforcement of building control, thus implying most building plans got approval before the commencement of construction. Findings also revealed that corruption and bureaucratic process strongly affects building control practices. The hypothesis test results indicated no significant difference among the group of professionals' perceptions of building control measures. Olufemi and Ambrose (2018) explored development control regulation compliance in Ado-Ekiti, Nigeria and the results revealed massive encroachment of public space mainly by informal commercial activities. It was also established that the disruption of public spaces is caused by the ignorance of good a quality environment, lack of effective governmental control, and people's desire for economic benefits. For instance, the study also indicated that 72% of the residents are aware of physical planning laws and regulations regarding the obtainment of planning permits before any development. While 47.9% of the houses obtained planning permission, 52.1% did not. The latter comprises 21.2% that never had a development permit and 30.9% that were unaware of the need to acquire a development permit.

A study by Omollo (2019) probed the effectiveness of development control in the monitoring of building development in Kisii town, Kenya to establish the extent to which the Building Code was enforced and findings indicated that 39% of the developers were ignorant of the need for the inspection of their development during construction. It was also predicted that awareness of building inspection was possible if the developers had issued inspection notices to the planning authority while those without planning permission were not likely to issue inspection notices. Onaiwu (2020) examined public compliance with development regulations in a Nigerian city and findings revealed poor compliance with development control regulations regardless of awareness by the developers, particularly about building coverage. Another study assessed compliance with development regulations and discovered that about 80% of the residents were aware that building without permission attracts penalties, about 70% did not obtain a development permit, about half of 31.5% who obtained a permit did not comply with the approved building plan, and about 60% were dissatisfied with the development permit process (Odekunle, Adebayo, Onabanjo & Sekoni, 2022). In a study conducted in Kisii town (Kenya) exploring the extent to which planning standards regulate setbacks of domestic (residential) buildings are complied with by developers, findings showed that most developments flouted planning standards regarding setbacks, a result attributed to a lack of development control by the County government (Omollo, 2019).

Though several studies have focused on development control in developing countries including Nigeria, the problems associated with the planning approval process have remained unresolved. This study would seek to evaluate the property developers' experience regarding the PAP in southwestern Nigeria. To achieve the study aim, the following questions would be asked. What is the state of awareness of property developers regarding the PAP? Are the property developers satisfied with the PAP? Are the property developers willing to participate in PAP discourse? And what are the current problems associated with the PAP? It is assumed that answers to these questions would assist to chart a new course for the PAP in Nigerian cities and those of developing countries with similar problems. However, the issues of awareness and satisfaction are of importance to this study for some reasons. Arimah and Adeagbo (2000) posit that awareness determines to a great extent the compliance with planning regulations. In their study, they found that awareness decreases successively from the high to the low-quality residential neighbourhood. More importantly, in the remark of Vagale (1970) cited in Arimah and Adeagbo (2000), "An enlightened and informed citizenry, a public spirited community and a sagacious political leadership are prerequisite to the success of development control." On the other hand, the understanding of the developers' satisfaction with PAP will assist the planning agencies to gauge their performance regarding PAP for them to ascertain aspects of PAP requiring improvement.

This study will contribute to the literature since most previous studies focused on public perception of development control especially compliance with planning standards though few examined challenges of PAP. There is also a dearth of studies that addressed satisfaction with PAP and willingness to participate in

planning approval discourse. However, this study will help fill these gaps by drawing from the experiences of property developers who are important stakeholders in the development control sector and ultimately contribute to the existing body of knowledge. Additionally, the evidence as it will be revealed by this study will provide a Nigerian perspective, which may vary from other developing economies.

3. Methodology

3.1 Study Area

Nigeria is the most populous black nation in the world with a population of about 200 million. The country is made up of 36 states and a federal capital territory, which are further divided into 774 local government areas. Geographically, the nation lies between latitudes 4°E and 14°E and longitudes 2°N and 15°N. Nigeria covers a total area of 923,768km², which thus makes it the 32nd largest country in the world (Badejo, 2014). It is bounded by the Republic of Niger to the north, the Atlantic Ocean to the south, the Republic of Benin to the west, and Cameroon to the east. The country is the largest economy in Africa and its urbanization rate is unprecedented and considered one of the fastest and highest in the world (Oyesiku, 1998, 2010). The implication of urbanization as occasioned by rapid population growth is the urban sprawl and lateral expansion of existing cities without articulate strategies to provide basic infrastructure (Oyesiku, 2010). To achieve sustainable development in the country, one of the viable measures is to control development in cities.

This study was conducted in three states of southwestern Nigeria comprising Lagos, Ogun, and Oyo. The southwest geopolitical zone is made up of six states that include Ekiti, Lagos, Ogun, Ondo, Osun, and Oyo (Figure 1). The choice of the states was based on the fact that they are the only states in southwest Nigeria and in the whole of Nigeria that have domesticated the Nigerian Urban and Regional Planning Act 2004 (Akingboye, 2021). The southwest region is dominated by the Yorubas, one of the major ethnic groups in Nigeria.

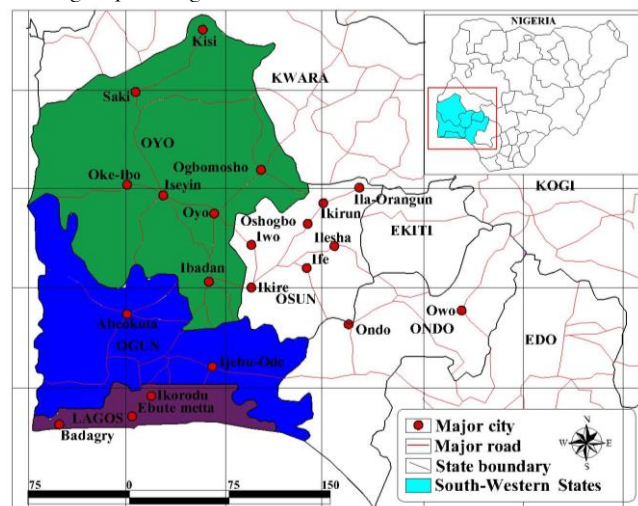


Figure 1 Map of the Study Area

Source: Ande et al. (2017)

3.2 Target Population

The target population for this study is the property developers who sought and were directly involved in seeking planning permits from the relevant government agencies saddled with development control in the study areas. This study recognized that not all property developers have direct contact with the planning agencies while seeking planning permits for their proposed developments. In other words, some developers employed representatives who are either town planners or other built environment professionals who helped in the processing of the planning permit.

3.3 Research Design, Survey Instrument, And Sampling Procedure

This study adopted a cross-sectional research design. Specifically, data were collected from the respondents at a single point in time. A structured questionnaire was used to elicit information regarding property developers' experiences with PAP. The questionnaire was mainly open-ended to allow respondents to express themselves without restrictions. Purposive and convenience sampling techniques were used in the selection of property developers. The purposive sampling technique was deployed since the property developers who had direct contact with the planning agencies constitute the target population. In other words, those who obtained planning permission through representatives were not qualified for participation as they would be unable to share such valuable information as required in this study. It is noteworthy that property developers' consent was sought and were assured that the information provided would serve academic purposes only. Subsequently, the convenience sampling technique is found suitable to elicit data from all property developers willing to participate in the study. The period of data collection spans between 28 October and 12 November 2021. Of the 130 property developers identified and consented to participate in this study, only 96 responded well to the questions posed and they constitute the sample size (Table 1).

Table 1 Questionnaire administration

State	Questionnaire distributed	Questionnaire retrieved
Lagos	58	45
Ogun	35	29
Oyo	37	22
Total	130	96

3.4 Data Analysis And Presentation

The qualitative data obtained from the property developers were collated, coded, and later transformed into quantitative data to be able to conduct quantitative analysis. In other words, thematic analysis was conducted by paying attention to the pattern of meaning in a dataset before categorizing them based on themes. Data obtained were analyzed descriptively. Further, inferential analyses (Chi-Square [χ^2] Tests and Spearman Correlation Test [r]) were conducted to test formulated hypotheses. Statistical packages used include SPSS version 25 and Microsoft Excel 2019.

3.5 Hypotheses Testing

For this study, four hypotheses were formulated and tested. The hypotheses are stated as follows:

- H_0 : There is no significant relationship between property developers' sociodemographic characteristics and developers' awareness of the legality of the planning approval process
- H_0 : There is no significant relationship between property developers' sociodemographic characteristics and developers' willingness to participate in public hearings addressing the planning approval process
- H_0 : There is no significant relationship between property developers' satisfaction with the planning approval process and their support for seeking planning approval
- H_0 : There is no significant relationship between property developers' satisfaction with the planning approval process and the planning approval processing time

4. Results And Discussion

4.1 Sociodemographic Characteristics Of Property Developers

The results from Table 2 showed that of the 96 property developers interviewed, 71 (74%) were male while 25 (26%) were female. The minimum and maximum ages of developers were 26 and 86 years respectively, while the mean age was 49 years. Results also showed that the property developers are literate, a factor that may influence income, awareness, and their attitude toward the PAP. The employment status indicated that 87 (90.6%) of the respondents were gainfully employed, 4 (4.2%) were unemployed, and 5 (5.2%) were retirees. The analysis of the monthly income revealed that the majority of the developers fall within the medium- and high socioeconomic status, with a significant proportion of 60 (60.5%) earning above ₦90,000. The developers' income may have aided developers' ability to acquire or get involved in real estate development.

Table 2 Sociodemographic characteristics of property developers

Variables	Frequency	Percent
Gender		
Male	71	74.0
Female	25	26.0
Total	96	100.0
Educational level		
Primary	3	3.1
Secondary	6	6.3
Tertiary	84	87.5
No response	3	3.1
Total	96	100.0
Employment status		
Employed	87	90.6
Unemployed	4	4.2
Retired	5	5.2
Total	96	100.0

Monthly income		
Below ₦30,000	6	6.3
₦30,001-₦60,000	7	7.3
₦60,001-₦90,000	7	7.3
₦90,001-₦120,000	16	16.7
Above ₦120,000	42	43.8
No response	18	18.8
Total	96	100.0

4.2 Property Developers' Awareness of Planning Approval Process

4.2.1 Awareness of the legality of the PAP

This study also examines developers' awareness of the legality of the PAP. 66 (68.8%) of the respondents stated they were aware, 16 (16.7%) stated they were unaware and 11 (14.6%) did not respond (Figure 2). Olufemi and Ambrose's (2018) study in Ado-Ekiti (Nigeria) reported greater percentage (72%) of residents were aware of planning laws and regulations. The result from this study indicates the need to improve awareness of PAP to the extent that developers are aware of the roles of both the developers and planning agencies within the ambit of the extant planning laws in the various states.

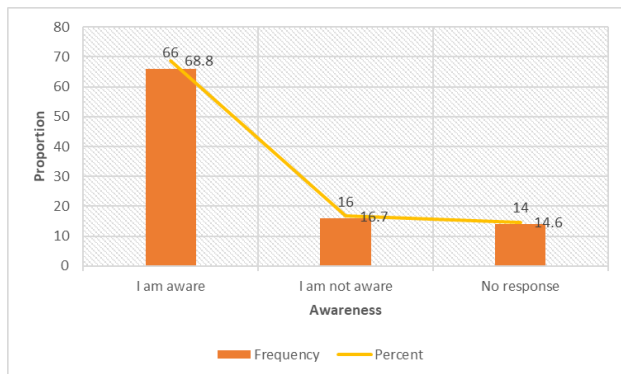


Figure 2 Awareness of the legality of the PAP

4.2.2 Date Of Awareness

Results from Figure 3 indicated that PAP has been around for over 4 decades in the study areas. The results from the analysis indicated an upward trend in awareness of the PAP between 1971 and 2020, which indicates good progress toward sustainable development in the study areas. Despite an encouraging trend in awareness as shown by the results, experience in the field indicated illegal developments still feature in towns and cities of the study areas. This corroborated Arimah and Adeagbo (2000) who posited that awareness is not a guarantee of compliance with planning laws and regulations, but it is a place to start with at least, as more still needs to be done by the planning agencies in the area of enforcement of the planning laws and regulations.

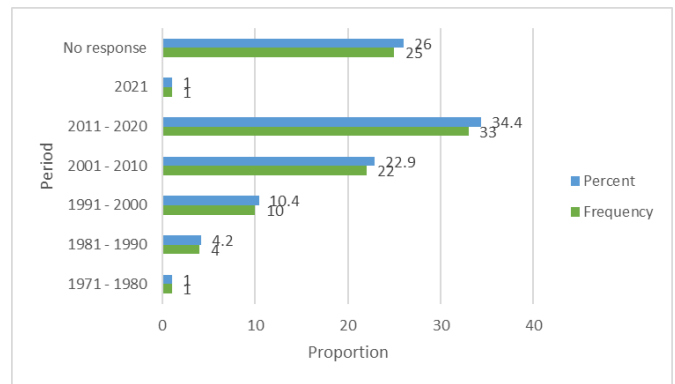


Figure 3 Date of awareness

4.2.3 Planning Agency Visited For Planning Approval

A larger percentage of the developers visited the appropriate planning agencies to obtain planning permits. However, few developers could still not differentiate between planning agencies from private planning firms, Land Bureau, and Environmental Protection Agency. It can also be deduced from the information gathered that Building Control Agency was also misconstrued for Planning Permit Authority, which applies to the developers in Lagos. Therefore, results suggest an attempt by the developers to obtain planning approval from unauthorized planning agencies so far as their developmental objectives are achieved, or perhaps a lack of awareness of the authorized planning agencies. Previous studies (Ahmed & Dinye, 2011; Olufemi & Ambrose, 2018) identified ignorance as the bane of development control.

4.2.4 Support for planning approval before development

Developers' perceptions regarding their support for seeking planning approval before development were obtained by this study. As shown in Figure 4, 86.5% of the developers declared their support for mandatory planning approval before development while 8.3% were not in support. This implies that the majority are aware of the importance of obtaining planning approval from the authorized agency before the implementation of their proposals. This set of developers could be partnered with by the planning agencies to disseminate information about PAP to the prospective developers.

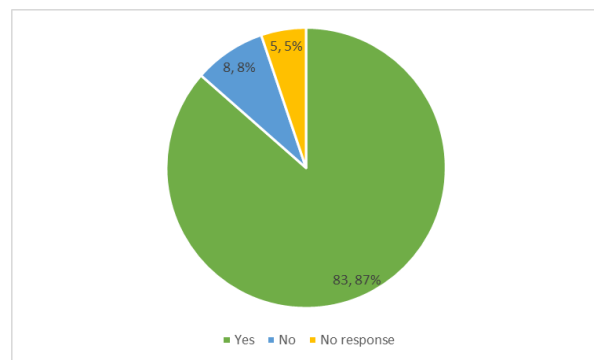


Figure 4 Support for planning approval before development

4.3 Developer’s Satisfaction with Planning Approval Process

An attempt was made to determine respondents’ satisfaction levels concerning the PAP and results showed that the majority (68 [70.8%]) were satisfied with the PAP whereas (20 [20.8%]) were dissatisfied (Figure 5). The satisfaction derived by the majority may be connected to the fact that a larger percentage of the developers obtain planning approval for their proposed development. This result is in contrast to the findings of Odekunle et al. (2019) where only 41.6% expressed satisfaction with the process.

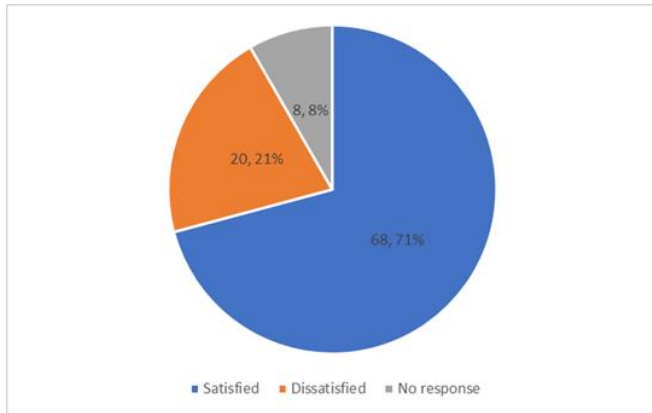


Figure 5 Satisfaction with the planning approval process

4.4 Property Developers’ Willingness to Participate in Planning Approval Process Discourse

Figure 6 shows that 78.1% of the developers were willing to participate in public hearings addressing the issues of planning approval while 10.4% were unwilling to participate. The results indicated that there are a proportion of developers that needed to be enlightened on the importance of PAP to development control. The planning agencies can leverage the developers’ willingness to get involved in planning approval for a participatory approach to planning. This step will negate the public perception that planning is “the exclusive preserve of small group of skilled professionals and bureaucratic elite as it is seen as a specialist and technical activity (Simon, 1992 cited in Arimah and Adeagbo, 2000).

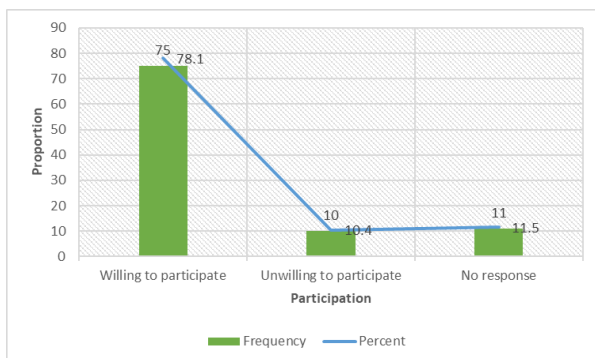


Figure 6 Willingness to participate in planning approval process discourse

4.5 Challenges of the Planning Approval Process

4.5.1 Processing Time Of Planning Approval

According to the Nigerian Urban and Regional Planning Act 2004, Section 34 (4) provides that “a Control Department may delay the approval of an application for development permission for a period of time not exceeding 3 months”. With over half of the developers obtaining approval within the 3 months (Figure 7), a fairly good return time by the planning agencies can be deduced. However, information gathered from the planning agencies in Ogun and Lagos States indicates that planning approval can be obtained in 7 working days and 10 working days, respectively, which are shorter times compared to the provisions of the planning law in Nigeria. The short processing period currently being implemented is a welcome development, and this undoubtedly would encourage property developers who desire to obtain planning approval in the shortest possible time before the commencement of the proposed development. The effects of prolonged processing time of planning approval in Ghana as reported by Ahmed and Dinye (2011) and (Hammah, 2015) should be avoided for an improved PAP in the study areas.

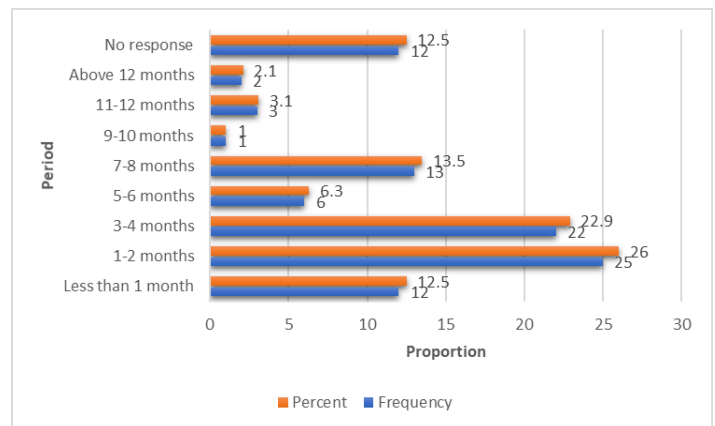


Figure 7 Processing time of planning approval

4.5.2 Assessment Fee For Planning Approval

The developers stated they paid assessment fees and other levies that range from ₦15,000 to ₦1,900,000 (\$36.15 to \$4,578.31). The variations are not far-fetched since developers obtained planning approval at different times, in different localities, and even for varying land-use types of development. Experience has shown that the assessment fee varies even within the same state. For instance, in Ogun State, the rate of the fees charged within urban centres is quite different from the rural areas. Similarly, Lagos State charges the highest rate of ₦64 per cubic metre for government schemes and ₦40 for other areas. It is noteworthy that some of the developers interviewed had obtained planning approval as far back as four decades ago, and this must have informed the low processing fee reported. The variations in the processing fees could also be linked to the review of the assessment fee from time to time (Olaseni, 2009). Olaseni (2009)

noted that “certain changes become inevitable and in the context of physical development, the law of demand and supply impose them as unavoidable burdens”. Currently (as of 2021 when the study was conducted), there was no way for developers would pay as low as ₦15,000 (\$36.15) in any of Lagos, Ogun or Oyo States. According to Olaseni (2009), Lagos, Ogun, and Oyo States were among the quartet in Nigeria that charged high processing fees for planning approvals. This high cost of assessment fees, Odekunle et al. (2019) noted was the main reason for development without planning approvals.

4.5.3 Documents Submitted To Planning Agencies

Table 3 presents documents required by the planning agencies for the processing of the planning approval in the study area. The majority (24.7%) of the developers stated architectural drawings, and next in order of importance include survey plan (23.6%), title document (15.3%), tax clearance certificate (12.8%), and structural drawings (10.8%). The other relevant documents requested for PAP include passport photographs (3.1%), Land Use Analysis Report (1.4%), Environmental Impact Analysis Report (1.0%), and Soil Test Report (0.7%). The marginal proportions recorded can be explained by the introduction of some of these requirements in recent years and the fact that they are requested for special cases, which depend on the type and magnitude of the proposed development. The remaining 6.6% of the developers stated mechanical and electrical drawings, site photographs, satellite imagery, processing fee receipt, and development levy. This deluge of documents required by the planning agencies is argued to contribute to the high cost of processing planning approval (Odekunle et al., 2019; Salau & Ogunleye, 2015). Hammah (2015) posited that these requirements hamper the free flow of PAP.

Table 3 Documents required for the planning approval process

Requirement	Frequency	Percent
Architectural drawing	71	24.7
Structural drawing	31	10.8
Survey Plan	68	23.6
Title Documents	44	15.3
Tax Clearance Certificate	37	12.8
Land Use Planning Analysis Report	4	1.4
Soil Test Report	2	0.7
Environmental Impact Analysis Report	3	1.0
Passport Photograph	9	3.1
Other documents	19	6.6
Total	288*	100.0

*Total exceeded the number of a questionnaire administered due to respondents' multiple responses

4.5.4 Cases Of And Reason For The Rejection

Not all the developers have their applications approved by the planning agencies as the results from the analysis indicated that one-quarter (24) of the developers could not obtain planning approval. The reasons for the rejection are non-compliance with the planning standards (12.5%), the proposed site falling within government acquisition (2.1%), and the inability to submit required documents (2.1%). However, 8.3% of the developers could not specify what led to the rejection of their applications (Figure 8). This finding corroborates Obabori et al.'s (2007) study in Ekpoma which showed that 91.6% of the submitted applications were approved by the Local Planning Authority. The approval rate recorded in this study is still significant despite about 25% being denied planning approval due to the inability of the developers to meet certain requirements of the planning agencies. The results also indicate planning agencies displayed some degree of firmness in the implementation of planning law within their jurisdictions.

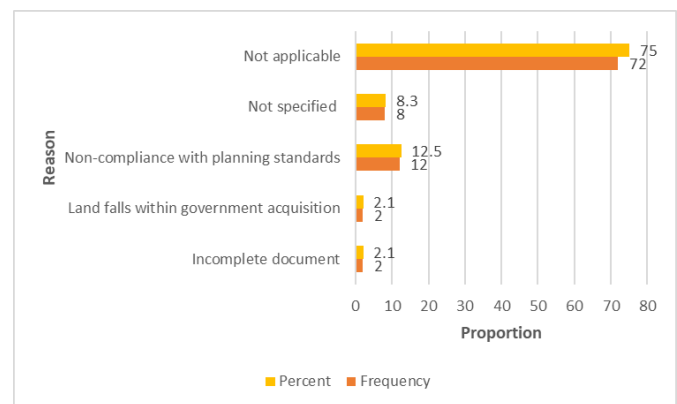


Figure 8 Cases of and reason for the rejection

4.5.5 Problems Of The Planning Approval Process

This study captures data regarding PAP and the analysis presented in Table 4 revealed that a majority (43 [38.1%]) of the developers described the PAP in southwestern Nigeria as time-consuming, thus implying delay in approval is a major problem with the process. Other problems with considerable proportion are bribery and corruption, stress for developers as well as high cost of processing fees. Corruption has been identified by previous studies (Agbola & Alabi, 2010; Ogundele et al., 2011; Salau & Ogunleye, 2015) to be one of the problems of PAP, and was affirmed to have significant effects on control practices (Ojelabi et al., 2017). Studies (Odekunle et al., 2019; Salau & Ogunleye, 2015) have also established the high cost of processing fees to be a major problem of PAP. Despite the problems perceived by some of the developers about the PAP, 23% opined that the PAP was without challenges.

Table 4 Problems of the planning approval process

Challenges	Frequency	Percent
Time-Consuming	43	38.1
Bribery and Corruption	14	12.4
High cost of the processing fee	6	5.3
Bureaucracy	5	4.4
Difficulty in processing documents	3	2.7
Change in government	1	0.9
Non-versatility of officials	3	2.7
Incoordination among agencies saddled with development control	2	1.8
No visible challenge	26	23.0
Stressful	8	7.1
Transportation	2	1.8
Total	113*	100.0

*Total exceeded the number of a questionnaire administered due to respondents' multiple responses

4.6 Results of Hypothesis Testing

This study conducted further investigations by testing the formulated hypotheses. Hypotheses I and II were subjected to the Chi-Square test (Fisher's Exact Test) while hypotheses III and IV were subjected to Spearman Correlation Test.

4.6.1 Hypothesis Test I

H_0 : There is no significant relationship between property developers' sociodemographic characteristics and developers' awareness of the legality of the planning approval process

Table 5 presents the observed statistical relationship between the distribution of a categorical variable (property developers' sociodemographic characteristics) with the distribution in another independent group of variables (developers' awareness of the legality of the PAP) through the use of Chi-Square (χ^2) test (Fisher's Exact Test). The results of the Chi-Square (χ^2) Test (Table 4) showed that two (2) out of the five (5) independent groups of variables were statistically associated with the developers' awareness of planning law backing PAP at the $p < 0.05$. They are the location of developers ($p=0.025$) and gender ($p=0.023$) with the calculated significant values less than the table value of 0.05.

Based on this result two variables were statistically significant as the calculated p-value of the Chi-Square (χ^2) Test was less than the table value of 0.05 (Table 4), hence, the rejection of the null hypothesis (H_0) that there is no significant relationship between property developers' sociodemographic factors and developers' awareness of the legality of the planning approval process.

Table 5 Summary of cross-tabulation and Chi-Square Test of sociodemographic characteristics and developers' awareness of the legality of the planning approval process

Sociodemographic profile	Category	Awareness of the legality of the planning approval process			Fisher's Exact Test	
		I am aware	I am not aware	Total	Value	Sig.
Location of developer	Lagos	37	5	42	6.907	0.025
	Ogun	14	9	23		
	Oyo	15	2	17		
	Total	66	16	82		
Gender	Male	53	8	61	0.023	
	Female	13	8	21		
	Total	66	16	82		
Level of education	Primary	0	1	1	3.354	0.247
	Secondary	4	1	5		
	Tertiary	59	14	73		
	Total	63	16	79		
Employment status	Employed	60	15	75	1.248	0.577
	Unemployed	4	0	4		
	Retired	2	1	3		
	Total	66	16	82		
Monthly income	Less than ₦30,000	5	1	6	0.992	1.000
	₦30,001-₦60,000	5	0	5		
	₦60,001-₦90,000	6	1	7		
	₦90,001-₦120,000	14	2	16		
	Above ₦120,000	30	6	36		
	Total	60	10	70		

4.6.2 Hypothesis Test II

H₀: There is no significant relationship between property developers’ sociodemographic characteristics and developers’ willingness to participate in public hearings addressing the planning approval process

Table 5 presents the observed statistical relationship between the distribution of a categorical variable (property developers’ socio-demographic characteristics) with the distribution in another independent group of variables (willingness to participate in public hearing addressing PAP) through the use of the Chi-Square (χ^2) test (Fisher’s Exact Test). The results of the Fisher’s Exact

Test (Table 5) showed that none of the independent group of variables was statistically associated with the developers’ willingness to participate in public hearing addressing PAP at the $p < 0.05$. In other words, all the cases were not statistically significant as the calculated p-value of Fisher’s Exact Test was greater than the table value of 0.05. Therefore, the acceptance of the null hypothesis (H₀) that states that there is no statistical relationship between property developers’ sociodemographic characteristics and developers’ willingness to participate in public hearings addressing PAP.

Table 5 Summary of cross-tabulation and Chi-Square Test of property developers’ sociodemographic characteristics and their willingness to participate in public hearings regarding the planning approval process

Sociodemographic profile	Category	Willingness to participate in a public hearing regarding planning approval process			Fisher’s Exact Test	
		Willing to participate	Not willing to participate	Total	Value	Sig.
Location of developer	Lagos	33	5	38	1.122	0.577
	Ogun	23	4	27		
	Oyo	19	1	20		
	Total	75	10	85		
Gender	Male	57	5	62		0.125
	Female	18	5	23		
	Total	75	10	85		
Level of education	Primary	3	0	3	0.360	1.000
	Secondary	5	0	5		
	Tertiary	65	10	75		
	Total	73	10	83		
Employment status	Employed	71	9	80	2.131	0.474
	Unemployed	2	1	3		
	Retired	2	0	2		
	Total	75	10	85		
Monthly income	Less than ₦30,000	6	0	6	2.080	0.669
	₦30,001 - ₦60,000	7	0	7		
	₦60,001 - ₦90,000	7	0	7		
	₦90,001 - ₦120,000	13	1	14		
	Above ₦120,000	31	6	37		
	Total	64	7	71		

4.6.3 Hypothesis Test III

H₀: There is no significant relationship between property developers’ satisfaction with the planning approval process and their support for seeking planning approval

Table 6 Summary of Spearman Correlation Test between property developers’ satisfaction with planning approval process and their support for seeking planning approval

	Support for seeking planning approval	
Developers’ satisfaction with the planning approval process	Correlation Coefficient	.339**
	Sig. (2-tailed)	.001
	N	86

** . Correlation is significant at the 0.01 level (2-tailed).

The Spearman Correlation is 0.339 (Table 6) and this means that there is a weak correlation between property developers’ satisfaction with PAP and their support for seeking planning approval. Since the p-value (0.001) is less than the 0.01 level of significance as presented in Table 6, hence, the rejection of the null hypothesis (H₀). This implies that there is a significant relationship between property developers’ satisfaction with PAP and developers’ support for seeking planning approval.

4.6.4 Hypothesis Test IV

H₀: There is no significant relationship between property developers’ satisfaction with the planning approval process and the planning approval processing time

Table 7 Summary of Spearman Correlation Test between property developers' satisfaction with planning approval process and planning approval processing time

Developers' satisfaction with the planning approval process	Planning approval processing	
	Correlation Coefficient	.250*
Sig. (2-tailed)	.026	
N	80	

*. Correlation is significant at the 0.05 level (2-tailed).

From Table 7, the Spearman Correlation is 0.250 and this indicates that there is a weak correlation between developers' satisfaction with PAP and the planning approval processing time. Since the p-value (0.026) is less than the 0.05 level of significance as presented in Table 8, hence the rejection of the null hypothesis (H_0). This result implies that a significant relationship exists between property developers' satisfaction with PAP and the planning approval processing time.

5. Conclusion And Recommendations

This study explored property developers' experiences with PAP in southwestern Nigeria. This study established that a larger proportion of property developers were male, literate, gainfully employed as well as belonged to the medium- and high socioeconomic classes. Findings also indicated that 68.8% of the developers affirmed their awareness of the legality of the planning approval process while awareness of PAP dated back over 4 decades ago. Over half of the developers obtained planning approvals within three months as provided by the Nigerian Urban and Regional Planning Act 2004. Results also indicated that some developers were unable to differentiate between authorized planning agencies saddled with the issuance of planning approval and allied agencies while variations were reported in the assessment fees charged and paid by the developers for planning approval processing. It was found that non-compliance to planning standards was the main reason for the cases of rejection experienced by some developers. The majority of the developers were satisfied with PAP as well as declared support for mandatory planning approval before development. Developers also considered PAP as time-consuming and characterized by a delay in processing, the major problem of the process. 78.1% expressed willingness to participate in public hearings regarding PAP.

The Chi-Square test (Fisher's Exact Test) revealed that the location of developers and gender among the sociodemographic characteristics of the developers were statistically significant with developers' awareness of the legality of the PAP. Whereas statistical significance does not exist between the developers' sociodemographic characteristics and developers' willingness to participate in public hearings addressing PAP. Furthermore, the Pearson Correlation tests revealed there was a significant association between developers' satisfaction with PAP and their support for seeking planning approval as well as the processing period of PAP, respectively.

Given the study findings, the following recommendations are put forward.

- i. There is a need for planning agencies to improve the processing time of the PAP. The initiative in Lagos and Ogun States is laudable by making it a matter of policy to reduce the planning approval processing time. However, this policy must be conscientiously executed while Oyo State must take a cue from Lagos and Ogun States.
- ii. Planning agencies should continuously engage the public, particularly the property developers on the need to seek planning approval before embarking on any kind of development. This step will change the public perception regarding planning as an elitist discipline, thus assuring the developers as key stakeholders in the development control process.
- iii. Planning agencies should do more as a facilitator of PAP by creating enabling environment for prospective developers. One aspect deserving attention is the review of the assessment fee such that it should be less burdensome for developers particularly those of low socioeconomic status. In doing so, prospective developers would be willing to approach the planning agencies for planning approval, thus translating into a sustainable built environment.

One major limitation of this study is the geographical coverage, which was restricted to three states in southwestern Nigeria. Though the reason for the choice of the three states was that they constitute to date the only states in Nigeria that have domesticated the Nigerian Urban and Regional Planning Act 2004, thus demonstrating the willingness to implement development control as expected. However, a study that is regional or nationwide in scope would be desirable for future studies. Another limitation is that few studies have examined PAP from the perspective of the officials of the planning agencies. It would be apt for future studies to engage the officials of the planning agencies as their views would offer more insights regarding the PAP, particularly the attitude of the developers toward the PAP and the problems that militate against the hitch-free execution of PAP.

This study will undoubtedly make contributions to literature and will further our understanding of the planning approval process in a developing country like Nigeria. Findings from this study will be useful for policy formulation particularly in the area of education as well as awareness creation among property developers about the importance of adherence to planning laws and regulations, expediting planning approval processing time, and ease of procuring documents required by the planning agencies. It will also help planning agencies to improve their services to the public, particularly property developers such that they will derive greater satisfaction from the planning agencies' services, and lastly inspire the public willingness to participate in planning matters that will bear on the PAP not only on the southwestern Nigeria but other geopolitical zones in the country. Finally, an improvement in the planning approval system in Nigeria can serve as a model to other developing economies with which it shares similar attributes.

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References

- Agbola, T. & Alabi, M. (2010). The politics of illegality in human settlements in Ibadan, Nigeria. *The Lagos Journal of Environmental Studies*, 7(2): 1-8.
- Ahmed, A. & Dinye, R. D. (2011). Urbanisation and the challenges of development controls in Ghana: A case study of Wa township. *Journal of Sustainable Development in Africa*, 13(7): 211-235.
- Akingboye, O. (2021). NITP urges Ondo government to domesticate urban, regional planning law. Retrieved from <https://guardian.ng/property/nitp-urges-ondo-government-to-domesticate-urban-regional-planning-law/> Access on May 3, 2022
- Ande O.T., Huising, J., Ojo, A. O., Azeez, J., Are, K.S., Olakojo, S.A., Fademi, I.O., & Ojeniyi, S.O. (2017). Status of integrated solid fertility management (ISFM) in southern Nigeria. *International Journal of Sustainable Agricultural Research*, 4(2): 28-44. DOI: 10.18488/journal.70.2017.42.28.44
- Arimah, B. C., & Adeagbo, D. (2000). Compliance with urban development and planning regulations in Ibadan, Nigeria. *Habitat International*, 24: 279-294.
- Badejo, B. A. (2014). *Transporting the future today: Portrait of Nigeria*. 65th Inaugural Lecture delivered at Olabisi Onabanjo University, Ago-Iwoye, Ogun State, Nigeria, 2014. Ago-Iwoye: Mass Communication Press, Olabisi Onabanjo University.
- Dissanayake, L. (1987). Effectiveness of the development control system for the city of Colombo, Sri Lanka. *Working Papers No. 36 Development Planning Unit, University College London*. Retrieved from <http://www.bartlett.ucl.ac.uk/dpu/publications/latest/publications/dpu-working-papers/WP36.pdf> Access on April 15, 2022
- Hammah, N. K. (2015). Streamlining of building permit approval processing of town and country planning department in Ghana. *Cogent Social Sciences*, 1(1), 1-17. DOI: 10.1080/23311886.2015.1060730
- Obabori, A. O., Obiuewbi, D. A., & Olomu, J. I. (2007). Development control an important regulator of settlement growth: A case study of Ekpoma, Nigeria. *Journal of Human Ecology*, 21(4): 285-291.
- Odekunle J. F., Akindele, D. B., & Adebayo, G. O. (2019). The problems and challenges of development control in Abeokuta-West zonal planning area, Ogun state, Nigeria. *African Journal of Economics and Sustainable Development*, 2(1): 9-27.
- Odekunle, J. F., Adebayo, G. O., Onabanjo, E. O., & Sekoni, S. O. (2022). Assessment of compliance with development regulations in Abeokuta-West zonal planning area, Nigeria. *Covenant Journal of Research in the Built Environment (CJRBE)*, 10(1): 29-45.
- Ogunde, F. O., Ayo, O., Odewumi, S. G. & Aigbe, G. O. (2011). Challenges and prospects of physical development control: A case study of Festac Town, Lagos, Nigeria. *African Journal of Political Science and International Relations*, 5(4): 174-178.
- Ojelabi, R. A., Oyeyipo, O. O., & Afolabi, A. (2017). Built environment professionals' perceptions of the effectiveness of building control measures in Lagos State. *Journal of Construction in Developing Countries*, 22(1): 41–54.
- Olaseni, A. M. (2009). Government charges and physical planning administration: The basic philosophy. In Kadiri, W. A. (Ed), *Our cities, our future: Dialogue on urban planning challenges and management*, 125-151. Lagos: Fabiyi Press Ltd.
- Olowoporoku, O., Daramola, O., Agbonta, W. & Ogunleye, J. (2017). Urban jumble in three Nigerian cities: A perception study of development control activities in Ibadan, Osogbo and Ado-Ekiti. *Economic and Environmental Studies*, 17(4): 795-811.
- Olufemi, O. & Ambrose, A. (2018). Development control regulations compliance: Paradigm change to reinvent disrupted public spaces and make future great place in Ado-Ekiti, Nigeria. *Civil Engineering and Architecture*, 6(1): 1-17. DOI: 10.13189/cea.2018.060101
- Omollo, W. O. (2019). Efficacy of development control as a tool for monitoring building developments in Kenya. *KICEM Journal of Construction Engineering and Project Management*, 9(1): 1-17. <https://doi.org/10.6106/JCEPM.2019.9.1.001>
- Omollo, W. O. (2020). Compliance with planning standards related to the setbacks around domestic buildings: Empirical evidence from Kenya. *Journal of Contemporary Urban Affairs*, 4(2): 95–108. <https://doi.org/10.25034/ijcua.2020.v4n2-9>
- Onaiwu, D. N. (2020). Assessment of public compliance with development control regulations in Auchi, Edo State, Nigeria. *The Indonesian Journal of Planning and Development*, 5(2): 78-86. doi:10.14710/ijpd.5.2.78-86
- Onokerhoraye, A. G. (2006). Four decades of town planning profession in Nigeria: The challenges ahead. *A paper delivered at the 37th Annual Conference/General Meeting of the Nigerian Institute of Town Planners at the Shehu Yar'dua Centre, Abuja*.
- Oyesiku, K. (1998). *Modern urban and regional planning law and administration in Nigeria*. Ibadan: Kraft Books Limited.
- Oyesiku, K. (2010). *New cities in urban and regional development planning*. Ikeja: Longman Nigeria Plc.
- Oyewale, E. (2001). History of urban and regional planning. In T. Agbola (Ed), *Readings in Urban and Regional Planning*, 31-60, Lagos: Macmillan Nigeria Publishers Limited.
- Peters, A. A. (2015). Development control in Adamawa state: Problems and prospects. *International Journal of Environment, Ecology, Family and Urban Studies (IJEEFUS)*, 5(4): 7-12.
- Salau, T. I. & Ogunleye, M. (2015). Strategies for efficient processing of planning permit applications in Lagos state, Nigeria. *Ibadan Planning Journal*, 4: 79-88.
- Wahab, B. (1988). Development control, local planning authority and the public: Towards a healthy and efficient (physical) environment. Paper presented under the auspices of the Nigeria Association of Town Planning Students, the Polytechnic, Ibadan, satellite campus, Saki, on the occasion of the launching of a planning magazine, 'the Planning Facus'.

Windapo, A. O. & Rotimi, J. O. (2012). Contemporary issues in building collapse and its implications for sustainable development. *Buildings*: 2, 283-299. doi:10.3390/buildings2030283

Yaakup, A., Johar, F., Sulaiman, S. & Che Ngah, M. (2014). Computerised planning approval system for a local authority in Malaysia. *Paper presented at 10th International Conference on Computers in Urban Planning and Urban Management*.