

Property Developers' Experiences with the Planning Approval Process in Ogun and Oyo States of Nigeria: A Comparative Analysis

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ABSTRACT

This study carried out a comparative analysis of property developers' experiences with the planning approval process (PAP) in Ogun and Oyo States of Nigeria. Purposive and convenience sampling techniques were adopted in the selection of property developers surveyed. A structured questionnaire was used for data collection and analysis was conducted with Statistical Package for Social Sciences (IBM SPSS Statistics 26). Major findings indicate that the property developers were mostly high-income in Ogun State and medium-income in Oyo State. It was established that the trend in awareness of PAP among property developers was on the rise in Ogun State, whereas a decline was experienced in Oyo State at some point. The satisfaction with PAP was significant among the property developers in the study areas but relatively higher in Oyo State. Property developers also displayed a willingness to participate in a discourse on PAP, though a greater proportion of those expressing such willingness was from Oyo State. The primary problem of PAP in both Ogun and Oyo States is the time-consuming nature of the process. This study concludes with recommendations that would facilitate the efficient delivery of the PAP towards ensuring sustainable development.

Keywords: development control, Nigeria, planning approval process (PAP), property developer

INTRODUCTION

Physical planning is one of the ways to achieve sustainable development (Oduwaye, 2009). Physical planning (town planning or urban planning), therefore, "is a device or means by which a planned and ordered human environment that is healthy and agreeable for everyday life could be achieved" (Wahab, 1988, p. 3). According to Oduwaye (2009), physical planning sustainably provides compatible land uses, ensures orderly development, equitable land distribution, provides a functional and visually pleasing environment, and satisfactory services. In other words, physical planning seeks to address the numerous environmental challenges that characterize human settlements that include severe impacts on land and water resources as physical development occurs; the pressure of population growth and urbanisation; and lack of access to a suitable shelter by the poor, the majority of whom are without the security of tenure (Oduwaye, 2009). Since development is inevitable in human settlement and man cannot live in isolation, the plans of every individual must be integrated into the overall plan of the settlement. Therefore, controlling development for orderly and effective land use plans cannot be overemphasized. Consequently, various development control mechanisms, such as planning permission (approval) before development, standards, building codes, and zoning regulations, are deployed (Ahmed & Dinye, 2011).

According to Obateru (2005), development control is the process of ensuring that developments are executed as approved by the local planning authority to ensure that building and subdivision plans are implemented as approved. In other words, the planning approval process (PAP) is one of the instruments of development control (Ahmed & Dinye, 2011; Odekunle et al., 2019). The PAP is one tool through which the Planning Permit Authority ensures that proposals conform with Physical Development Plans. It is noteworthy that the process places responsibilities on both the planning agencies and prospective developers (Salau & Ogunleye, 2015).

According to Section 91 of 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. N138 LFN 2004), a "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" (Federal Republic of Nigeria [FGN], 1992) Beyond the definition, the issue of planning approval is adequately provided for in the Nigerian Urban and Regional Planning Act 2004. Sections 28, 29, 30, and 31 address subject matters such as approval of planning authority before development, government agency to obtain approval of the control department, application for a development permit, and grounds for the rejection of development application, respectively. Other sections of the Act provide for additional matters, including approval and rejection of a development permission (Section 34 [1]); delay of approval of an application subject to conditions (section 34 [2] – [3]); time limit for delaying approval (section 34[4]); decision of the control department shall be in writing (section 34[5]); control department to give reasons for its decision (section 34[6]); control department's decision is conclusive evidence of facts so stated (section 34[7]); legal right shall attach to an application after it is communicated (section 34[8]); enforcement of rights and duties attached to a development permit (section 35[1]); validity of a development permit (section 35[2a]); condition for grant of development permit to conform with condition of issue of certificate of occupancy (section 36); alteration, amendment, etc. of conditions attached to grant of development (section 37[1]–[4]); appeal against alteration, amendment, etc. of conditions attached to grant of development permit (section 38); revocation of development permit by the control department (section 39 [1]–[3]); appeal against revocation of a development permit (section 40 [1] – [4]); and conditions for revoking a development permit (section 41), among others. Despite the laudable provisions of the Act, with great potential for improving the built environment, only three of the 36 states in Nigeria -- Lagos, Ogun and Oyo -- have been able to domesticate the Act (Akingboye, 2021).

Studies have addressed various issues concerning physical planning, development control, and planning approval worldwide. Undoubtedly, from these studies have emerged

far-reaching findings and policy implications for improving the development control objectives. Despite the progress made, human settlement is still confronted with various problems relating to development control, and this gives credence to researchers' continued interest in the subject matter.

Arimah and Adeagbo (2000, p. 279) studied the extent to which private residential development complies with urban development and planning regulations in Ibadan city of Nigeria. Their findings showed that the average household is aware of planning regulations, but that this understanding has not translated into compliance. The factors attributed to the low level of compliance with regulations comprise "the institutional context of urban development and planning regulations; the administrative machinery for physical planning implementation; poverty of the general populace; and the disdain and apathy of the public towards formal planning institutions in the city." Alnsour and Meaton (2009) also examined factors that impact the extent to which urban housing complies with residential standards in Old Salt city, Jordan. Their findings indicated that compliance levels with residential standards are relatively low and vary from one standard to another, and one house to another. The findings are consequent upon differences in the people's socioeconomic attributes of age, educational level, household size, income and occupation. The poor compliance has culminated in a poorly built environment. Additionally, findings show that various factors influencing compliance with planning standards include poor enforcement machinery, outdated municipal monitoring system, and existing municipal management culture.

Another study by Onaiwu (2020) assessed public compliance with development control regulations in Auchi (Nigeria), and findings show low compliance despite developers' awareness of compliance rules. One aspect of the development control regulation routinely ignored is building coverage. Further findings indicate a moderate correlation between education and level of non-compliance. Omollo (2020) investigated the extent to which planning standards regulating setbacks of domestic buildings are complied with by developers in Kisii town, Kenya. Using the checklists for data

collection, it was established that most of the developments defied the planning standards on setbacks, which was adduced to insufficient development control by the County Government of Kisii. A related study in Abeokuta-West Zonal Planning Area (Nigeria) focused on the assessment of compliance with development regulations and found that "78.7% of the residents were aware of penalties for building without permission, 68.5% of the residents did not obtain a development permit, 15.6% from the 31.5% that obtained development permit did not comply with the approved building plan, and 58.3% expressed dissatisfaction with the development permit process" (Odekunle et al., 2022).

Omar (2018) assessed the effectiveness of the building permit process of Ubungo Municipality in Tanzania and found that the process is ineffective in enhancing development control. This ineffectiveness is attributed to the inadequate number of building inspectors, inefficiency of the personnel, inadequate enforcement capacity, inadequate planning schemes, corruption, poor information management system, lack of awareness of the building permit process and its associated cost, and bureaucracy. Similarly, a study conducted in a Nigerian township by Ifediora (2019) identified challenges that hamper effective development control. He categorized challenges into three groups. The first is public constraints, comprising "inadequate public enlightenment, disobedience to law, poverty, no sanctions for defaulters and political interference; and personal constraints including "poorly educated staff, poorly paid staff, inadequate staff, highly politicized staff, carelessness on the part of planning officers." There are also institutional constraints, consisting of "lack of motivation, inadequate funding, lack of political will, government insensitivity and poor administration." Finally, the study identified logistic problems, comprising "lack of moving vans, bad road networks, and absence of a good master plan."

Omollo (2019) examined the efficacy of development control in the monitoring of building development in Kisii town (Kenya) to establish the degree to which the Building Code was enforced by appropriate authorities to promote quality assurance. Findings revealed that "39% of developers were unaware that their development

should have been inspected during construction.” However, it was predicted that awareness of building inspection could be increased if developers issued inspection notices to the planning authority. Again, the developers who did not obtain planning permission were less likely to issue inspection notices. Therefore, the study concluded that the County Government of Kisii rarely exercises its statutory power, and that this failure has been capitalized on to flout the Building Codes. Dissanayake's (1987) study in Colombo, Sri Lanka revealed that developers sought planning permission to gain access to essential services comprising water and sewerage connections, but did not fulfil the law's requirements. He further discovered that developers attempted to evade the requirements of the law by buying a property with essential services, a step the developers considered an easier route to obtaining planning permits. Despite the high literacy rate among Colombo's residents, they lacked development permit system awareness.

Prior studies explored various aspects of development control, such as compliance with planning regulations (Alnsour & Meaton, 2009; Arimah & Adeagbo, 2000; Odekunle et al., 2022; Onaiwu, 2020); development control effectiveness (Dissanayake, 1987; Omollo, 2019); planning process effectiveness (Omar, 2018); and challenges (Ifediora, 2019; Ogundele et al., 2011; Salau & Ogunleye, 2015). However, a careful examination of these studies indicates the dearth of comparative studies that can aid the analysis of differences and/or similarities between two or more objects and/or subjects (Coccia & Benati, 2018).

Given all of this, this study attempts a comparative analysis of the property developers' experience with the planning approval process (PAP) in Ogun and Oyo States in Nigeria in order to understand the existing situation and draw lessons for sustainable development in the study areas. The study objectives are to compare and contrast property developers' awareness of PAP, property developers' satisfaction with PAP, property developers' willingness to participate in PAP discourse, and challenges confronting PAP in the study areas. It is assumed that the study outcomes will allow both Ogun and Oyo States to learn from each other and improve on the PAP within their jurisdictions.

MATERIALS AND METHODS

Study Areas

Nigeria is the most populous nation in Africa. The country's government comprises three tiers: the federal government, state government and local government. Administratively, the country constitutes six geopolitical zones comprising northeast, northcentral, northwest, southwest, south-south and southeast. The geopolitical zones are further divided into thirty-six States and the Federal Capital Territory of Abuja. It is noteworthy that the study areas fall within the southwest geopolitical zone that consists of Ekiti, Lagos, Ogun, Ondo, Osun and Oyo States. Planning in Nigeria dates back to British colonial rule that witnessed the enactment of various ordinances and laws. The current operative planning law is known as the Nigerian Urban and Regional Planning Decree No 88, promulgated in 1992 as amended in Decree No 18; it has since become an Act (in 2004). Because of the peculiarity of the Nigerian States, it is expected that the Nigerian Urban and Regional Planning Act will be domesticated at the state level. To date, only three states have domesticated this Act: Lagos, Ogun and Oyo States.

To achieve the study objectives, two states in southwestern Nigeria were selected, namely Ogun and Oyo States. It is noteworthy that the two states were created in 1976 when they were carved out of western Nigeria. Currently, they are among the three states in Nigeria that have domesticated the Nigerian Urban and Regional Planning Law 2004, the other being Lagos State. In 2001, Oyo State domesticated the Act which is currently operative and is known as the Oyo State Urban and Regional Board Law 2001. In Ogun State, the Act became domesticated in 2005 and is recognized as the Ogun State Urban and Regional Planning Law 2005. The two states have reviewed the laws, which are yet to be passed by the legislative arm of the government.

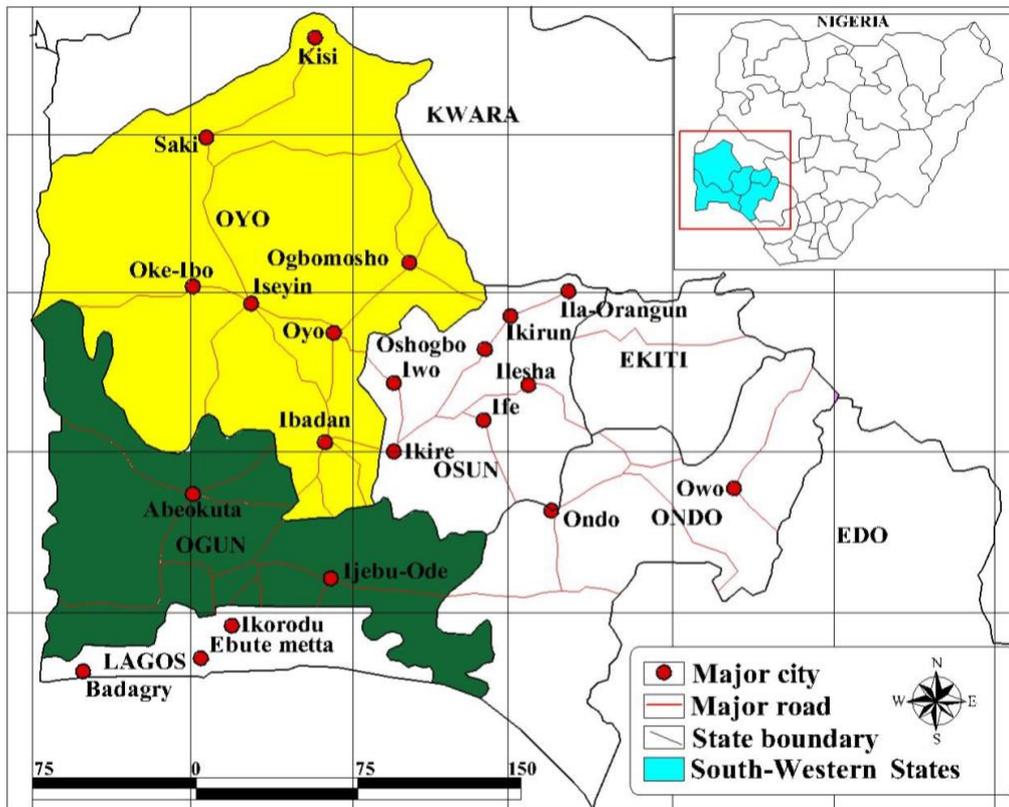
Ogun State is located within longitudes 2°45'E and 4°45'E, and latitudes 6°15'N and 7°55'N. The state is bounded on the west by the Republic of Benin, to the south by Lagos State and a 20km stretch of the Atlantic Ocean, to the east by Ondo and Osun States, and to the north by Oyo State. The population of Ogun State was estimated to

be 3.458 million in 2005 and it has been projected to reach 6.24 million by 2025. It is divided into 20 local government areas (LGAs) (Ogun State Government, 2008), and covers an estimated 16,980.55 km² (Olukanni et al., 2020). Ogun State's topography is characterized by highlands to the north that slope downward to the south. The highest region is found in the northwest, which rises to over 300 metres above sea level, but the lowest level is found in the south, terminating in a long chain of Lagos. It is interesting to note that the State links up with the Atlantic Ocean to the southeast of the State in Ogun Waterside local government area (Ogun State Government, 2008). In Ogun State, the Ministry of Physical Planning and Urban Development is the planning apex body, but a parastatal known as the Ogun State Urban and Regional Planning Board coordinates the development control activities through zonal planning offices.

Oyo State is situated within latitudes 6.5° and 9° north of the Equator and between longitudes 3° and 5° east of the Greenwich Meridien (Mijinyawa et al., 2007). Oyo State has a land mass of 28,454km² and is ranked 14th in Nigeria based on size. It comprises 33 LGAs, of which 28 are considered rural LGAs (Popoola & Magidimisha, 2020). Oyo State is bounded to the south by Ogun State, to the north by Kwara State, to the west by the Republic of Benin, and to the east by Osun State. The topography of Oyo State is such that varies in elevation from about 520 metres in locations such as Igbeti, Irawo, Ogboro and Aba Iseyin in the north to about 65 metres near the southern border with Ogun State around Igbo Ora in Ibarapa area (Lawal et al., 2022) The Ministry of Physical Planning and Urban Development is in charge of development control in Oyo State.

Figure 1

Ogun and Oyo States in Southwestern Nigeria



Note. From “Status of integrated solid fertility management (ISFM) in southern Nigeria,” O.T. Ande, J. Huising, A.O. Ojo, J. Azeez, K.S. Are, S.A. Olakojo, I.O. Fademi, & S.O. Ojeniyi, 2017, *International Journal of Sustainable Agricultural Research*, 4(2), p. 29 (<https://archive.conscientiabeam.com/index.php/70/article/view/247>)

Study Methodology

This study emerged from an ongoing study focusing on the PAP in southwestern Nigeria. The study adopted a cross-sectional research design. Property developers were targeted and recruited as participants in this study. The consent of the participants was sought and only those willing to participate in the study were surveyed.

Data were obtained from both secondary and primary sources. Secondary sources include journal articles, conference papers, government publications and a newspaper online publication, whereas the primary source was a structured questionnaire. The questionnaire utilised for this study was divided into two parts. The first section addressed the socioeconomic characteristics of the respondents. It comprised seven questions that captured respondents' place of residence, gender, education level, employment status, and average monthly income. The second section focused primarily on the PAP, consisting of questions that addressed respondents' awareness of the PAP, the time required to process the planning permit, the planning agency visited for the planning permit, the amount paid as an assessment fee, satisfaction with the PAP, reasons for rejection of planning application if the permit was not granted, and documents submitted to the planning agency. Other questions posed in the second section include developers' support for seeking planning approval before development, challenges encountered during the process, awareness of the operative planning law, willingness to participate in public hearings to discuss planning PAP, and suggestions towards the improvement of PAP. The purposive and convenience sampling technique was employed to sample 35 and 37 property developers in Ogun and Oyo States, respectively. Of those sampled, 29 and 22 questionnaires in Ogun and Oyo States, respectively, were satisfactorily filled and used for analysis.

The study was conducted between October and November 2021. Data obtained were analysed using Statistical Package for Social Sciences (IBM SPSS Statistics 26). It is noteworthy that the qualitative data obtained were transformed into quantitative data to make comparison possible. A descriptive method of analysis was employed

using frequency distribution and crosstab (contingency table).

RESULTS AND DISCUSSION

Socioeconomic characteristics of respondents

As shown in Table 1, the gender distribution indicates that more than 80.0% of males were involved in property development in Oyo State in comparison to about 76.0% in Ogun State, meaning, of course, that a greater proportion of females in Ogun State were involved as property developers compared to Oyo State.

Results from the analysis of educational attainment presented in Table 1 indicate that property developers were literate, with about 90.0% and 82.0% obtaining tertiary education in Ogun State and Oyo State, respectively. The situation is not far-fetched considering that the two states are among the more educationally advanced areas in Nigeria. For instance, Ogun State has been linked to the early missionary activities in the area, resulting in little resistance to western education (Onakomaiya et al., 2000). Though the literacy level is greater in Ogun State, it can also be deduced from the result that property developers in both Ogun and Oyo States will demonstrate a positive attitude towards obtaining planning permits from the appropriate planning authority. This submission is supported by the position of Vagale (1970, p. 31) as cited in Arimah and Adeagbo (2000) that "An enlightened and informed citizenry, a public-spirited community and a sagacious political leadership are prerequisites to the success of development control." This is further corroborated by Odunola et al. (2020) who stated that there is a statistically significant association between building approval and education.

The analysis of the property developers' employment status revealed that about 97.0% were gainfully employed in Ogun State as compared to 100.0% in Oyo State (Table 1). Because property development involves a financial commitment, it is important that a property developer has an assured and sustained stream of income that not only allows

that person to venture into property development but also to be able to meet financial obligations associated with obtaining planning permits. The results suggest that developers possess the wherewithal to undertake property development. This seems logical considering that poverty is identified as one of the challenges of development control (Arimah & Adeagbo, 2000; Ifediora, 2019). In other words, employment status could influence developers' willingness to seek planning approval.

The studies of Alnsour and Meaton (2009) and Odunola et al. (2020) indicate that household

income considerably impacts the degree of compliance with residential standards. The analyses revealed that over 60.0% of property developers earned above ₦120,000 monthly in Ogun State, compared to about 39.0% in Oyo State. Further analysis shows that more than 40.0% of the developers in Oyo State belonged to the medium-income category, compared to about 5.0% from Ogun State. These results imply that the developers in Ogun State have a greater capacity to comply with planning standards than their Oyo State counterparts.

Table 1

Socioeconomic Characteristics of Respondents

		Ogun State	Oyo State	Total
Variable	Category	Frequency (%)	Frequency (%)	Frequency (%)
Gender	Male	22 (75.9)	18 (81.8)	40 (78.4)
	Female	7 (24.1)	4 (18.2)	11 (21.6)
	<i>Total</i>	<i>29 (100.0)</i>	<i>22 (100.0)</i>	<i>51 (100.0)</i>
Educational level	Primary	1 (3.4)	2 (9.1)	3 (5.9)
	School	2 (6.9)	2 (9.1)	4 (7.8)
	Tertiary	26 (89.7)	18 (81.8)	44 (86.3)
	<i>Total</i>	<i>29 (100.0)</i>	<i>22 (100.0)</i>	<i>51 (100.0)</i>
Employment status	Employed	28 (96.6)	22 (100.0)	50 (98.0)
	Retired	1 (3.4)	0 (0.0)	1 (2.0)
	<i>Total</i>	<i>29 (100.0)</i>	<i>22 (100.0)</i>	<i>51 (100.0)</i>
Monthly income	Below ₦30,000	4 (21.1)	0 (0.0)	4 (10.8)
	₦30,001-₦60,000	1 (5.3)	3 (16.7)	4 (10.8)
	₦60,001-₦90,000	0 (0.0)	6 (33.3)	6 (16.2)
	₦90,001-₦120,000	1 (5.3)	2 (11.1)	3 (8.1)
	Above ₦120,000	13 (68.4)	7 (38.9)	20 (54.1)
	<i>Total</i>	<i>*19 (100.0)</i>	<i>*18 (100.0)</i>	<i>37 (100.0)</i>

Note. *Total below the number of participants due to non-response cases

Planning Approval Process

Awareness of planning law backing PAP and trend of awareness

Awareness is key to the stakeholders' participation in development control. This study probed the property developers' awareness of the operative town planning law backing PAP in the study areas. The results reveal that about 61.0% of the developers were aware of the law in Ogun State, while the number totaled nearly 90.0% in Oyo State (Table 2). The variation in awareness of planning law backing PAP may be connected to the developers' disposition to planning matters in Ogun State as compared to Oyo State. The greater awareness recorded in Oyo State may be because the domestication of the Nigerian Urban and Regional Planning Act by the Oyo State predates that of the Ogun State. It could then be deduced that the urgency towards planning matters in Oyo State gave it an edge over Ogun State. It is therefore imperative for planning agencies to pay more attention to public campaigns and awareness among stakeholders, especially the property developers in Ogun State. It must be noted that previous studies (Alnsour & Meaton, 2009; Arimah & Adeagbo, 2000;

Onaiwu, 2020) have established that awareness of planning regulations is not a guarantee of compliance with the planning regulations, but the engagement of stakeholders from time to time will help ensure that developers buy into the government policy regarding PAP.

Furthermore, results from Table 2 reveal the trend in developers' awareness of PAP. The awareness regarding PAP dates back to the '80s in both Ogun and Oyo States. However, there was an upward trend in awareness in Ogun State between 1981 and 2020, which contrasts with Oyo State, in which a decline was recorded after the period of 2001-2010. Development control activities have been in existence for over four decades in both Ogun and Oyo States, which coincides with their dates of creation. The increased awareness could be linked to the promulgation of the Nigerian Urban and Regional Planning Decree 88 of 1992, which later became an Act in 2004, and subsequent domestication of the law by both Ogun and Oyo States. Nonetheless, there is a need to sustain awareness regarding planning law backing PAP in the study areas, particularly in Oyo State, where results indicate that a decline was experienced between 2011 and 2020.

Table 2

Awareness of Planning Law Backing PAP Cum Trend of Awareness

		Ogun State	Oyo State	Total
Variable	Category	Frequency (%)	Frequency (%)	Frequency (%)
Awareness of planning law backing PAP	Yes, I'm aware	14 (60.9)	15 (88.2)	29 (72.5)
	No, I'm not aware	9 (39.1)	2 (11.8)	11 (27.5)
	<i>Total</i>	<i>*23 (100.0)</i>	<i>*17 (100.0)</i>	<i>*40 (100.0)</i>
Trend of awareness	1981 - 1990	2 (8.0)	1 (7.1)	3 (7.7)
	1991 - 2000	4 (16.0)	4 (28.6)	8 (20.5)
	2001 - 2010	7 (28.0)	5 (35.7)	12 (30.8)
	2011 -2020	12 (48.0)	4 (28.6)	16 (41.0)
	<i>Total</i>	<i>*25 (100.0)</i>	<i>*14 (100.0)</i>	<i>*39 (100.0)</i>

Note. *Total below the number of participants due to non-response cases

Processing Period

The Nigerian Urban and Regional Planning Law 2004 provides that a development control department may delay the approval of a planning application for development permission for a period not exceeding three months. In other words, planning applications are expected to be processed and planning permits issued within three months. Data analysis revealed that over 40.0% of the property developers in Ogun State obtained planning approval within 0-2 months, whereas 55.5% obtained planning approval during the same period in Oyo State (Figure 2). The results imply an average output in return time by the planning agencies in both States, particularly in Ogun State, where planning approval is to be obtained in 7 working days as a matter of policy. A delay would discourage developers, some of whom are impatient to obtain planning approval. Thus, a culture of delay in the processing of planning permits may compel developers to implement their proposals without planning approvals, an action detrimental to sustainable development. Tasantab (2016) affirmed this scenario in Sekondi-Takoradi in Ghana, where some developers attributed their

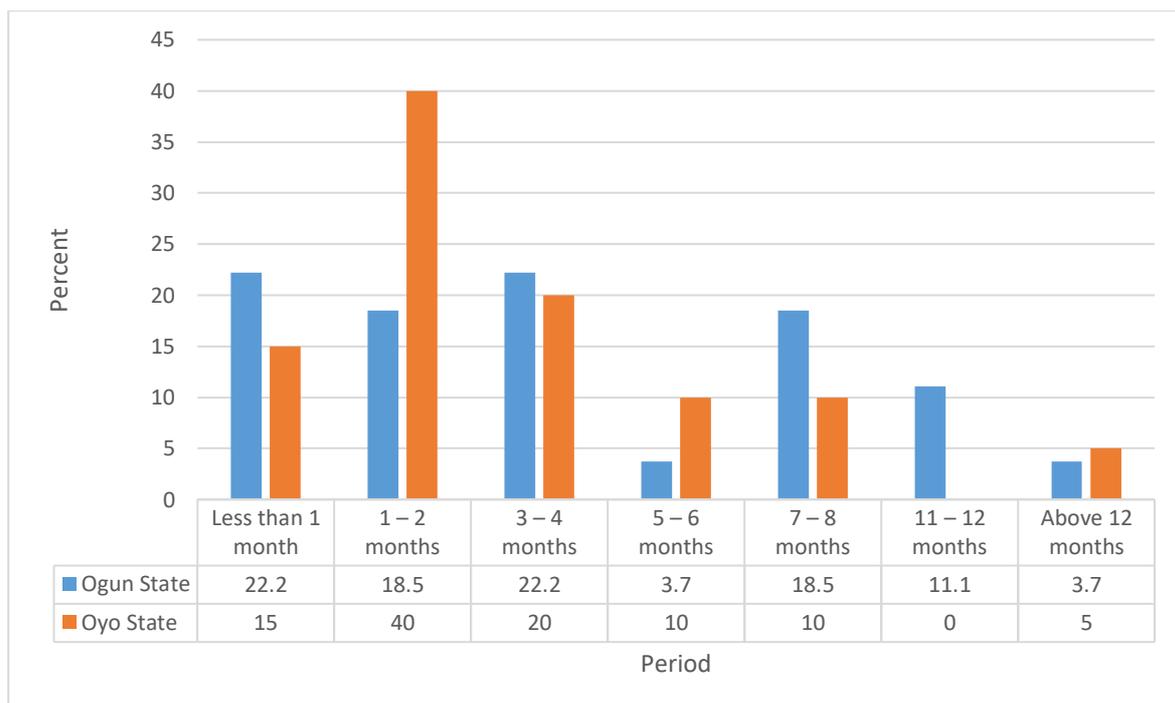
inability to patronize development control agencies to the poor return time of planning approvals. The contraventions resulting in illegal developments in both Ogun and Oyo States will contribute to the poor perception of planning by the public. This is because illegal developments will attract penalties from the planning agencies and the consequences most times may not augur well for the developers.

Planning approval processing fee.

The results displayed in Table 3 indicate that in Ogun State, the planning approval processing fee paid by developers was between ₦15,000 and ₦476,308, whereas in Oyo State, the fee was within the range of ₦15,000 and ₦350,000. The mean value of the processing fee in Ogun State was ₦101,315.40 compared to the mean value of ₦86,067.50 in Oyo State. The results imply that the processing fee charged by the planning agency in Ogun State is more significant than in Oyo State. The difference in the processing fees between the two states was confirmed by Olaseni (2009), whose study revealed Ogun State charges are next to Lagos

Figure 2

Processing Period



State in a comparative analysis of some states in Nigeria, which also include Abuja Federal Capital Territory, Ekiti, Ondo, and Oyo States. The data on the rates per cubic metre for residential use and commercial use obtained from Ogun State were ₦25 and ₦50 respectively, whereas, from Oyo State, they were ₦15 and ₦25, respectively. It is worth mentioning that factors such as building type, building density, and location, amongst others, influence the processing fees being paid by the prospective developers seeking approval from planning agencies in Nigeria. It is therefore not surprising that variations in processing fees were found in the two states, which have somewhat different socioeconomic attributes. Moreover, the two states are independent and have administrative structures that oversee physical planning in the respective states. More importantly, a study in Oyo State by Odunola et al. (2020) revealed that an exorbitant assessment rate for building approval contributes to development control ineffectiveness.

Requirements for the planning approval

Planning agencies in both Ogun and Oyo States request various documents from the property developers to facilitate the processing of planning applications and granting of planning (development) approval. Results summarized in Table 4 show that architectural drawings and

survey plans were the most important requirements in both Ogun and Oyo states. It is noteworthy that a more significant percentage of the developers in Oyo State identified architectural drawings and survey plans as part of the requirements for planning approval than in Ogun State. However, in Ogun State, a more significant proportion of developers identified structural drawings and title documents as requirements for planning approval. It can be further deduced from the analysis that requirements such as survey plans, architectural drawings, and land title documents were the most important in Ogun State, whereas, in Oyo State, requirements comprising survey plans, architectural drawings, and tax clearance certificates seem the most important acceptable documents for the PAP. However, a requirement such as Environmental Impact Analysis Report (EIAR) is requested in exceptional cases and based on the type of development. The Nigerian Urban and Regional Planning Law 2004 provides that EIAR should be submitted for an application for: (a) residential land over 2 hectares; or (b) permission to build or expand a factory or for the construction of an office building over four floors or 5,000 square meters of lettable space; or (c) permission for major recreational development. Finally, a marginal proportion in the study areas accounted for other documents such as site photographs, satellite imagery, and clearance from other

Table 3

Planning Approval Processing Fee

	Ogun State	Oyo State	Total
Amount (₦)	Frequency (%)	Frequency (%)	Frequency (%)
15000 - 30000	5 (25.0)	7 (35.0)	12 (30.0)
30001 - 60000	6 (30.0)	6 (30.0)	12 (30.0)
60001 - 120000	3 (15.0)	3 (15.0)	6 (15.0)
120001 - 180000	4 (20.0)	1 (5.0)	5 (12.5)
180001 - 240000	0 (0.0)	1 (5.0)	1 (2.5)
240001 - 300000	1 (5.0)	1 (5.0)	2 (5.0)
300001 - 360000	0 (0.0)	1 (5.0)	1 (2.5)
Above 360000	1 (5.0)	0 (0.0)	1 (2.5)
<i>Total</i>	<i>*20 (100.0)</i>	<i>*20 (100.0)</i>	<i>*40 (100.0)</i>

Note. *Total below the number of participants due to non-response cases

Table 4

Requirements for the Planning Approval

	Ogun State	Oyo State
Requirement	Frequency (%)	Frequency (%)
Architectural drawing	17 (27.0)	18 (29.0)
Environmental Impact Analysis Report	0 (0.0)	1 (1.6)
Passport Photograph	1 (1.6)	0 (0.0)
Structural drawing	7 (11.1)	5 (8.1)
Survey Plan	18 (28.6)	20 (32.3)
Tax Clearance Certificate	5 (7.9)	9 (14.5)
Land Title Documents	13 (20.6)	7 (11.3)
Other documents	2 (3.2)	2 (3.2)
<i>Total</i>	<i>*63 (100.0)</i>	<i>*62 (100.0)</i>

Note. *Total exceeded the number of questionnaires due to respondents' multiple responses

agencies. This deluge of requirements suggests that prospective developers will incur various costs besides the processing fees, which may discourage them from seeking planning permits. This factor of high costs of obtaining planning approval has been identified as the primary reason for the low response of applications for approval (Odekunle et al., 2019).

Reasons for refusal

Property developers identified two factors responsible for planning application refusal in Ogun and Oyo States, as presented in Table 5. Firstly, about 4% stated that incomplete documentation was responsible for application rejection in Ogun State; this factor was not applicable in Oyo State. This result implies that planning agencies in Ogun State prioritize documentation, particularly that real property development could result in litigation in the case of eventualities like encroachment, property sales, and acquisition in public interest amongst others. Secondly, non-compliance with planning standards applies to more than 10.0% of the developers in Ogun State and about 9.0% in Oyo State, thus indicating that planning agencies are implementing as well as enforcing the regulations to curb contraventions by the developers. Odekunle et al. (2022) affirmed that 1.1% of the

residents of Abeokuta (Ogun State) built without planning approval as their applications were not approved due to non-compliance with planning standards. Furthermore, a mean percentage of 72.5% of the developers obtained planning approvals in the study areas, which is encouraging. This number can be improved if the developers fulfil planning agencies' requirements for PAP in the study areas. Lastly, there is a category of developers who did not specify the reason for the refusal in the study areas.

Satisfaction with the planning approval process

Results of the analysis of the property developers' satisfaction with PAP, as shown in Table 6, indicate that almost two-thirds of developers were satisfied in both Ogun State and Oyo State, though a more significant proportion of developers who expressed satisfaction with PAP were from Oyo State. The satisfaction derived could be due to the greater percentage of developers whose proposals were approved by planning agencies (Table 6) and those whose proposals were approved within the shortest possible time. The proportions expressing dissatisfaction with PAP were about one-third in both states, which contrasts with Odekunle et

al.'s (2019) study where over half (58.3%) expressed dissatisfaction. The dissatisfaction was adduced to the high level of assessment charges involved in obtaining the required documents needed for approval, and/or delay in the planning approval processing. According to Odunola et al. (2020), the high assessment rate for planning approval is perceived to contribute to development control ineffectiveness in Oyo State. The results show that the PAP is not without its grey areas. Therefore, concerted efforts aimed at addressing the constraints hampering the effective delivery of satisfactory services by the planning agencies are desirable. Ifediora (2019) classified development control challenges into public, personal, institutional, and logistic constraints. These challenges will negatively affect the satisfaction developers could derive from the planning authorities' services.

Support for the requirement to seek planning approval before development

Results displayed in Figure 3 show that property developers supported the need for prospective developers to obtain planning approval before the project execution. However, the degree of support in Oyo State was more significant than in Ogun State. A greater proportion of developers supporting the notion of prospective developers obtaining planning approval before development may hinge on two factors. First is the literacy level of the property developers, which also influences their awareness of the importance of planning approval before development. The second is satisfaction with the PAP in the study areas. These factors are significant to developers' experience because developers' know-how and derived satisfaction will either increase or impair support.

Table 5

Reason for Refusal

	Ogun State	Oyo State	Total
Reason	Frequency (%)	Frequency (%)	Frequency (%)
Not applicable*	21 (72.4)	16 (72.7)	37 (72.5)
Incomplete document	1(3.4)	0 (0.0)	1 (2.0)
Non-compliance with standards	3 (10.3)	2 (9.1)	5 (9.8)
Not specified	4 (13.8)	4 (18.2)	8 (15.7)
<i>Total</i>	<i>29 (100.0)</i>	<i>22 (100.0)</i>	<i>51 (100.0)</i>

Note. *Developers who obtained approval from the planning agencies

Table 6

Satisfaction with the Planning Approval Process

	Ogun State	Oyo State	Total
	Frequency (%)	Frequency (%)	Frequency (%)
Yes	18 (66.7)	14 (70.0)	32 (68.1)
No	9 (33.3)	6 (30.0)	15 (31.9)
<i>Total</i>	<i>*27 (100.0)</i>	<i>*20 (100.0)</i>	<i>*47 (100.0)</i>

Note. *Total below the number of participants due to non-response cases

Figure 3

Support for the Requirement to Seek Planning Approval Before Development

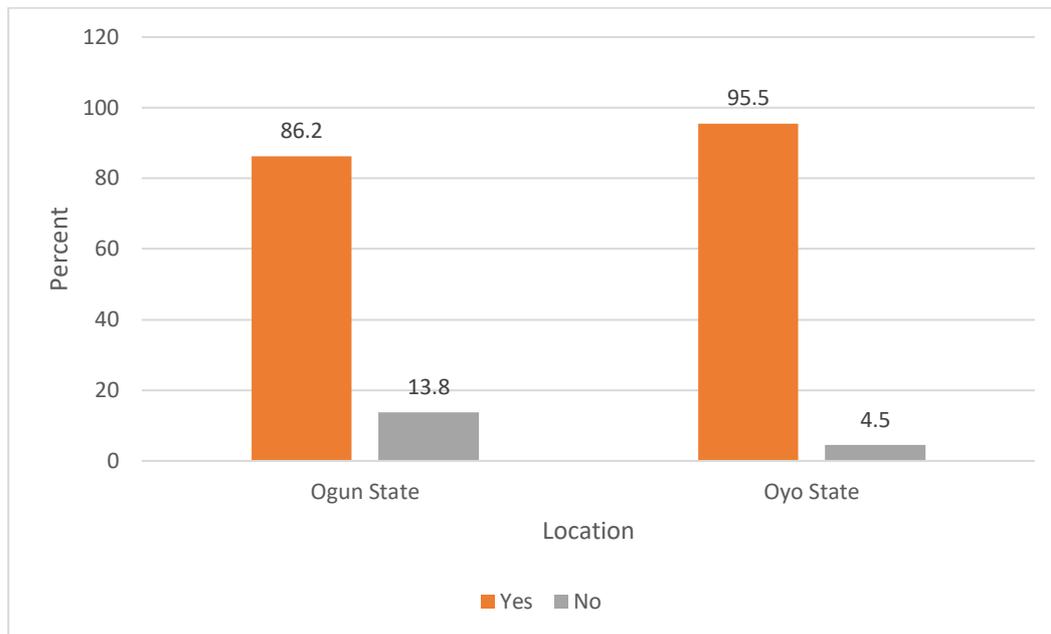


Table 7

Willingness to Participate in Planning Approval Process Discourse

	Ogun State	Oyo State	Total
	Frequency (%)	Frequency (%)	Frequency (%)
I am willing to participate	23 (85.2)	19 (95.0)	42 (89.4)
I am not willing to participate	4 (14.8)	1 (5.0)	5 (10.6)
<i>Total</i>	<i>*27 (100.0)</i>	<i>*20 (100.0)</i>	<i>47 (100.0)</i>

Note. *Total below the number of participants due to non-response cases

Willingness to participate in planning approval process discourse

Results reveal that 95.0% of the developers in Oyo State were willing to participate in a public discourse addressing the PAP. In comparison, a smaller proportion (85.2%) expressed willingness in Ogun State (Table 7). The willingness reported by developers is arguably due to increased awareness that the level of developer education is an important factor. The results portend that support for PAP can be driven from the grassroots level. One of the challenges with planning has been the adoption of a top-down approach to issues, which is counter-productive. The engagement of stakeholders, particularly property developers, in development control matters would boost their commitment to and involvement in PAP.

Challenges of the planning approval process

Previous studies have demonstrated that development control is confronted with myriad challenges (Alnsour & Meaton, 2009; Arimah & Adeagbo, 2000; Ifediora, 2019; Omar, 2018). The cases of both Ogun and Oyo States are no exceptions. The biggest challenge identified by property developers -- over 40.0% in Oyo State and 25.0% in Ogun State -- is the time-consuming nature of the PAP. In Ogun State, a more significant proportion of developers were confronted with challenges such as bribery and corruption, high cost of processing fees, and bureaucracy. In contrast, developers in Oyo State complained more about the stress of applying for the PAP than in Ogun State (Table 8).

Table 8*Challenges of the Planning Approval Process*

	Ogun State	Oyo State
Challenge	Frequency (%)	Frequency (%)
Bribery and Corruption	5 (13.9)	2 (8.7)
Bureaucracy	2 (5.6)	1 (4.4)
Change in government	1 (2.8)	0 (0.0)
High cost of the processing fee	3 (8.3)	0 (0.0)
Incoordination among development control agencies	0 (0.0)	1 (4.4)
Stressful	1 (2.8)	3 (13.0)
Time-Consuming	9 (25.0)	10 (43.5)
Transportation (Logistics)	1 (2.8)	1 (4.4)
No visible challenge	14 (38.9)	5 (21.7)
<i>Total</i>	<i>*36 (100.0)</i>	<i>*23 (100.0)</i>

Note. *Total exceeded the number of questionnaires due to respondents' multiple responses

CONCLUSION

This study attempted a comparative analysis of property developers' experiences of PAP in both the Ogun and Oyo States of Nigeria. The study revealed both similarities and differences in the study areas.

Findings reveal that developers in both Ogun and Oyo States were mainly male and literate, with a considerable proportion of them having attained tertiary degrees, and gainfully employed. It is important to reiterate that the PAP in the two states is backed by a planning law that draws extensively from the Nigerian Urban and Regional Planning Decree 88 of 1992 as amended in Decree No 15 of 1999, which later became an Act (in 2004). The successes recorded to date regarding PAP can be attributed partly to the domestication of the decree in the two states.

In Ogun State, the developers were primarily high-income. Additionally, findings indicate an upward trend in awareness of planning law backing PAP over the years. The study established that the proportion of developers who had their planning applications processed within two months was below average. It was also established that government charges for processing planning approvals in Ogun State were greater than in Oyo State. The most

important requirements for PAP by the planning agencies in Ogun State were survey plans, architectural drawings, and land title documents. The cases of rejection of submitted applications by the planning agencies in Ogun State were attributed to incomplete documents and non-compliance with planning standards. The developers in Ogun State were satisfied with the PAP to a great extent. A considerable number of the developers in Ogun State support the requirement for prospective developers to seek planning permits before commencing the development, which in turn was corroborated by developers' willingness to participate in a discourse on PAP. The challenges of PAP reported in Ogun State are its time-consuming procedures, bribery and corruption, huge processing fees, and bureaucracy.

However, in Oyo State, the developers predominantly are of medium-income status. Despite an encouraging awareness of the planning law backing PAP among the developers, a decline was recorded of late in the awareness of developers in Oyo State. Over half of them obtained planning permission within two months of submission in Oyo State, although government charges for processing planning approval in Oyo State were not as high as those in Ogun State. In Oyo State, planning agencies' requirements comprising survey plans,

architectural drawings, and tax clearance certificates were considered the most crucial by the developers. Also, non-compliance with planning standards was the only reason for the refusal of planning applications by the planning agencies in Oyo State. A greater proportion of the developers was satisfied with the PAP in Oyo State, with a good number declaring support for the need to obtain planning permission before project execution. It can also be seen from the study that a significant proportion of the developers in Oyo State displayed a willingness to participate in a PAP discourse. The main problems of PAP identified by developers in Oyo State are its time-consuming nature and the stress associated with processing, as well as bribery and corruption.

Going forward, this study recommends the following:

1) The planning agency and other government units involved in the PAP need to attend promptly to prospective developers' requests regarding planning applications and for any documents needed to facilitate their processing. To achieve this, Ogun and Oyo states governments will have to improve the "ease of doing business" policy within their jurisdictions. This step will help address the problem of the time-consuming nature of the PAP by ensuring that there is an improvement in the processing time for submitted planning applications.

2) The cases of bribery and corruption should be tackled by instituting measures that discourage unethical behaviours among stakeholders, especially planning practitioners. To overcome this challenge, whoever is found culpable among the stakeholders should be heavily disciplined, as should developers who contravene the provisions of the planning laws.

3) Unnecessary bureaucratic procedures should be avoided; therefore, the government through its agencies should fast-track the processing of planning approvals. For instance, the enforcement of the policy on obtaining planning approval within 7 working days should be fully implemented in Ogun State, while Oyo State should take a cue from this policy.

4) The developers should ensure that the requirements of the planning agencies are met to facilitate the processing of their applications. The

developers also must be willing to comply with planning regulations to avoid being denied planning permits by the planning agencies. Further, the developers must realise that they have roles to play if the problem of disapproval in future planning applications must be addressed.

5) The efforts at making the PAP stress-free in Oyo State should be pursued vigorously. This is important to encourage prospective developers to willingly approach the planning agencies for planning approval. Therefore, encumbrances connected to PAP in whatever form should be dealt with by the government through the planning agencies.

6) The government needs to review the high processing fees charged by the planning agencies for planning approvals. The processing fees should be made affordable in light of the planning objective of social welfare. The proposed review should also apply to documents issued by the other government units.

7) The government should also leverage the high literacy level among the property developers and residents in Ogun and Oyo states. The government, through planning agencies, should promote awareness creation regarding PAP and see it as a continuous process that should leverage every available avenue to update developers on the importance of obtaining planning permission before embarking on a project, and promulgating other relevant information aimed at achieving sustainable development. The issue of awareness is key because improved awareness of the law backing PAP will culminate in greater satisfaction with PAP as has been established by this study, particularly in Oyo State.

It is hoped that lessons learned from this study as well as the recommendations put forward will inspire the Ogun and Oyo States to improve the PAP within their jurisdictions. By extension, it is anticipated that other states in Nigeria, particularly those that are yet to domesticate the Nigerian Urban and Regional Planning Law, will do so without delay for improved and efficient service delivery by the planning agencies in Nigeria. Finally, developing countries that share similarities with the study areas will also be able to take a cue from the lessons learned and implement them for sustainable development.

REFERENCES

- 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*. The Guardian. <https://guardian.ng/property/nitp-urges-ondo-government-to-domesticate-urban-regional-planning-law/>
- Alnsour, J., & Meaton, J. (2009). Factors affecting compliance with residential standards in the city of Old Salt, Jordan. *Habitat International*, 33(4), 301–309. <https://doi.org/10.1016/j.habitatint.2008.08>.
- 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. <https://doi.org/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(3), 279–294.
- Coccia, M., & Benati, I. (2018). Comparative studies. In A. Farazmand (Ed.), *Global Encyclopedia of Public Administration, Public Policy, and Governance* (pp. 1–7). Springer. https://doi.org/10.1007/978-3-319-318165_1197-1
- 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. https://www.ucl.ac.uk/bartlett/development/sites/bartlett/files/migrated-files/WP36_0.pdf
- Federal Republic of Nigeria. (1992). Nigerian urban and regional planning decree 1992. Federal Government Press.
- Ifediora, O. (2019, March 19-23). *Development control challenges and land use compatibility: Professionals concerns and implications for health and safety* [Paper presentation]. The 49th Annual Conference of NIESV with the Theme A City That Works, Lagos, Nigeria. <https://www.niesv.org.ng/research&dev/annualconferencepapers2019.php>
- Lawal, K., Ogundiran, Y., Ogunsesan, B., & Olagunju, D. (2022). *Regional development issues and strategies for equitable growth in Oyo State, Nigeria. A publication in honour of Chief Goke Adediran – The last man standing*. Centre for Innovative Design and Development Research (CIDDER).
- Mijinyawa, Y., Adesogan, S. O., & Ogunkoya, O. G. (2007). A survey of roof failures in Oyo State of Nigeria. *Journal of Building Appraisal*, 3, 52–58. <https://doi.org/10.1057/palmgrave.jba.2950055>
- Obateru, O. I. (2005). *Basic elements of physical planning*. Penthouse Publications (Nig).
- Odekunle J. F., Akindede, 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.

- Odunola, O. O., Alabi, A. T., Odunsi, O. M. & Morenikeji, I. A. (2020). Assessment of building compliance with residential planning standards in Ogbomoso north local government area, Oyo state, Nigeria. In R. B. Ibrahim & A.B. Muili (Eds.), *Planning and Management of sustainable infrastructure development in Nigeria* (pp. 784–812). LAUTECH Press.
- Oduwaye, L. (2009). Challenges of sustainable physical planning and development in metropolitan Lagos. *Journal of Sustainable Development*, 2(1), 159–171.
- Ogundele, 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.
- Ogun State Government (2008). *Ogun state regional plan (2005-2025) Final Report*. CPMS.
- Olaseni, A. M. (2009). Government charges and physical planning administration: The basic philosophy. In W.A. Kadiri (Ed.), *Our cities, our future: Dialogue on urban planning challenges and management* (pp. 125–151). Fabiyi Press.
- Olukanni, D. O., Pius-Imue, F. B., & Joseph, S. O. (2020). Public perception of solid waste management practices in Nigeria: Ogun State experience. *Recycling*, 5(2), 1–16. <http://dx.doi.org/10.3390/recycling5020008>
- Omar, H. M. (2018). Building permit in informal settlements - A measure of development control or source of municipal revenue: The case of Ubungo municipality. *Researchjournal's Journal of Geography*, 5(2), 1–17.
- 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. <https://doi.org/10.14710/ijpd.5.2.78-86>
- Onakomaiya, S. O., Odugbemi, O. O., Oyesiku, O. O. & Ademiluyi, I. A. (2000). *Ogun state: Local and regional perspectives*. Olabisi Onabanjo University.
- Popoola, A. A., & Magidimisha, H. H. (2020). The dilemmas of rural planning and planners in Oyo State, Nigeria. *Bulletin of Geography Socio-economic Series*, 47, 75–93. <http://doi.org/10.2478/bog-2020-0005>
- Salau, T. I., & Ogunleye, M. (2015). Strategies for efficient processing of planning permit applications in Lagos state, Nigeria. *Ibadan Planning Journal*, 4, 79–88.
- Tasantab, J.C. (2016). Building permit as a tool for development control: Evidence from Sekondi-Takoradi. *Journal of Environment and Earth Science*, 6(11), 149–159. <https://iiste.org/Journals/index.php/JEES/article/view/34079/35048>
- Wahab, B. (1988). *Development control, local planning authority and the public: Towards a healthy and efficient (physical) environment* [Paper presentation]. The Auspices of the Nigeria Association of Town Planning Students, the Polytechnic, Ibadan, satellite campus, Saki.