

**SUSTAINABLE DEVELOPMENT THROUGH BUILDING APPROVAL
PROCESS: A STUDY OF MINNA NIGER STATE, NIGERIA.**

by

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ABSTRACT:

The global trend in the 21st century is moving towards the developments that have minimal impact on to the environment. This has resulted to the formulation of policies especially by developed countries towards sustainable development. The major constituents of development are the construction activities that are being carried out in the environment. Building construction however, constitutes the major part of construction activities that take place in the environment. The proximity of Minna the state capital of Niger state, to the Federal Capital Territory - Abuja is experiencing a rapid growth both in population and in building developments. This has resulted in massive residential development by the Government, Private Developers and Individuals. However, the massive development has resulted into negative impact on the environment such as blockage of drainage line, encroachment to the access road and invasion of privacy. This paper therefore, takes a look at the building approval, development and enforcement process in Minna. It highlights the problems and proffers sustainable strategies.

Keywords: *approval, building, development, environment, sustainable*

INTRODUCTION:

Building approval process is a method of assessing, vetting, inspecting and approving of building development which is yet to be developed, under construction, maintenance or to be extended through a recognised development authority of the government in order to obtain building permit. According to Keeble(1969), development control is seen as a mechanism put in place to maintain standard. It reduces the negative effect that accompanies physical development. This is achieved by introducing certain restrictions in form of laws to prevent certain acts that are detrimental to stake holder in the built environment. These laws that will satisfy both private and public needs have to be harmonized into the present conditions in the building industry.

The rapid urbanisation and urban sprawling that leads to massive buildings in some areas in an attempt to improve on the environment tremendously affects that environment when not monitored and controlled by the appropriate authority. Environment can be defined as the sum of the conditions within which organisms live, it is the result of interaction between non-living (abiotic) physical and chemical and also present living (biotic) parameters Ayeni, and Adam (2006). Everything that surrounds us makes up our environment. This environment needs to be sustained by building our communities so that we can all live comfortably without consuming all of our resources.

Sustainable development is not just about conserving our resources: it is about changing our culture to make conservation a way of life. The earth has a natural balance, and over consumption of its resources, whether it is polluting or diverting water, or over-using land for building or agriculture or mining, or clear cutting of forests, or over-fishing the ocean, or burning too many fossil fuels throws that balance off and makes it difficult for the earth to renew itself. Living sustainably means only consuming as much as we need, while making sure to never consume so much that it cannot be replaced. Changing habits in daily or

community life, in government or in business is often referred to as “greening practices”. The term “green” is used to refer to anything that is built for or working towards a sustainable, environmentally-friendly future. Kmelby, (2009)

Sustainable development means that contractors, designers and real estate developers aim to create buildings and communities that minimize the depletion of natural resources and use renewable resources so as not to compromise for future generations. Sustainable development practices emphasize efficient use of resources such as energy, water and building materials. The practice addresses building siting, design, construction practices, construction materials, operation, maintenance and removal. It also includes an emphasis on renewable resources generated from sustainable sources, including solar power, hydroelectricity, wind generators and harnessing the earth’s geothermal sources to generate energy. A sustainable city is one that practices sustainable methods and works with citizens and neighbouring communities to integrate sustainable practices into daily life.

In order to make Minna in Niger State a sustainable city, it is important that the high rate of building developments sprawling up on the daily basis should be checked mate for sustainability by seeing that all building plans go through the appropriate development control authority; while the defaulters will be brought to book by the enforcement agents.

This paper therefore, examines the building approval, development and enforcement process in Minna. It highlights the problems and proffers sustainable strategies and solutions.

TOWN PLANNING AND DEVELOPMENT CONTROL IN NIGERIA

The origin of development control can be connected with the land tenure system operated by both the North and Southern parts of this country. Land was vested in the Emirs, Obi and the

Oba for onward usage as it may be necessary and conditions were set for acquisition. Moreover, the outbreak of different types of disease and the need for effective Town and Country planning necessitated the formulation of ordinances that touches on health, land use, environmental preservation, roads classification of towns became operational. Planning scheme approval committee was set up in 1924 and in 1928 Lagos Executive Development Board (L.E.D.B) was established and became effective in 1929 for planning and development in Lagos.

Later with the introduction of more planning schemes and planning authorities with the promulgation of Nigerian Town and Country Ordinance (No. 4 of 1946), Town and country planning gained recognition. In the year between 1954 and 1963 a regional systems of planning was adopted in Lagos with the law in 1958, west as cap 123 laws of western region of 1959, East as cap 126 laws of Eastern Nigeria 1963 and North as cap 130 laws of Northern Region 1963.

Furthermore, the creation of Town planning division to enhance planning and the introduction of planning authority and development unit in the old Mid-Western State with Edict No. 3 of 1969 herald the National Development Plan which became operational since 1920 through 1980. Designing and planning of new settlement and urban renewal scheme is of great importance in the policy of planning of urban centres. In order to make, Town and Country planning more relevant and effective, their power to function was vested in the local government area and with the creation of more local government areas in 1976 planning authorities were established to handled planning matters. Various issues relating to land matters were tackled by the promulgation of Land use decree of 1978. This effort was aimed at making land available to Nigerians and exercise control over land.

GEOGRAPHICAL LOCATION AND MINNA PEOPLE

Minna, headquarter of Niger State is located in the Central Region of Nigeria. It lies at latitude 9 degrees 37 minutes north and longitude 6 degrees 33 minutes East on a geological

base of undifferentiated Basement Complex of mainly gneiss and magmata. To the north-east of the town a more or less continuous steep outcrop of granite occurs limiting any urban development in that direction.

Niger State was created on the 3rd February 1976. It becomes fully operational in April 1976. Today it has 25 local government areas. The state comprises of different ethnic groups which include Gwari, Nupe, Hausa and Kambari. Others are Fulani and Dukawa. These various ethnic groups are responsible for the different kind of lifestyle of the people. The major occupation of the people is farming which takes up about 85% of the total land area during the early stage of the State's Development. Niger State has a population of about 3,950,249 according to the statistical data of 2006 population Census which is approximately 2.8% of the total Nigeria's population of about 140,003,249. (Source of Information: Department of the Ministry of Information and Communications Minna, Niger State. www.nigerstate.gov.ng.)

(Presently, Minna city which is made up of two Local Government Areas (Bosso and Chanchaga) has a typical growing population of about 348,788 as shown by the aforementioned census. The state capital is about 140 km to the Federal Capital Territory –Abuja and as such is experiencing massive building development.

HISTORY OF DEVELOPMENT CONTROL IN MINNA, NIGER STATE:

Minna Development Control started as earlier as the State was created in 1976 under the umbrella of Town and Regional Planning. From 1976 to 1998, the department of Town Planning has been making shift from one ministry to another (that is from Governor's Office to Ministry of Land and Housing to Ministry of Environment, to Ministry of Works and Housing and finally back to the Ministry of Lands, Survey and Town Planning now called Ministry of Land and Town Planning.

Niger State Urban Development Board came into operation on 21st day of December, 1998 with reference to Edict No. 3 of 1999. The board comprises of the Chairman, General Manager of the board, with one representative from each of the following professions: Town Planning, Architecture, Civil Engineering, Land Surveying, Estate Surveying and other representatives from these establishments like Ministry of Justice, Agriculture, Finance, Works, Health, Niger State Environmental Protection Agency, N.E.P.A and 5 representatives of all the Local Government Councils in the State. (N.S. Edict No. 3 of 1999, section 4, Sub-section 1(a – k). Some of the functions of this board according to N.S. Edict No. 3 of 1999, section 15(1) i, ii, and iii are as follows:

- (i) To administer, execute and enforce the provisions of the Town and Country Planning Law within the area for which the Board has been appointed the planning authority under Law.
- (ii) Generally to foster the development of the state through the exercise of the powers and functions of the Board.
- (iii) Formulation and implementation of planning schemes.

The Urban Development Board created in 1998 was saddle with the responsibility of controlling physical development within the urban centre among others. The Niger State Urban Development Board today is left with planning policies initiation and preparation of Master Plan while both take Development Control in general.

The Minna Master Plan designed for the period of 1979 – 2000, has a report that Minna covers 885 hectares of land. The land use and zoning system were not properly followed to the latter due to changes in the state government and politics; for instance the Industrial Area has been severally changed to residential. Moreover, the Master Plan of Minna is now obsolete and has been exhausted. Recently, building developments in Minna are out of the designed Master Plan of the city, therefore it calls for an upgrade. The fig. 1 below shows the organ-gram of the Development Control at Minna.

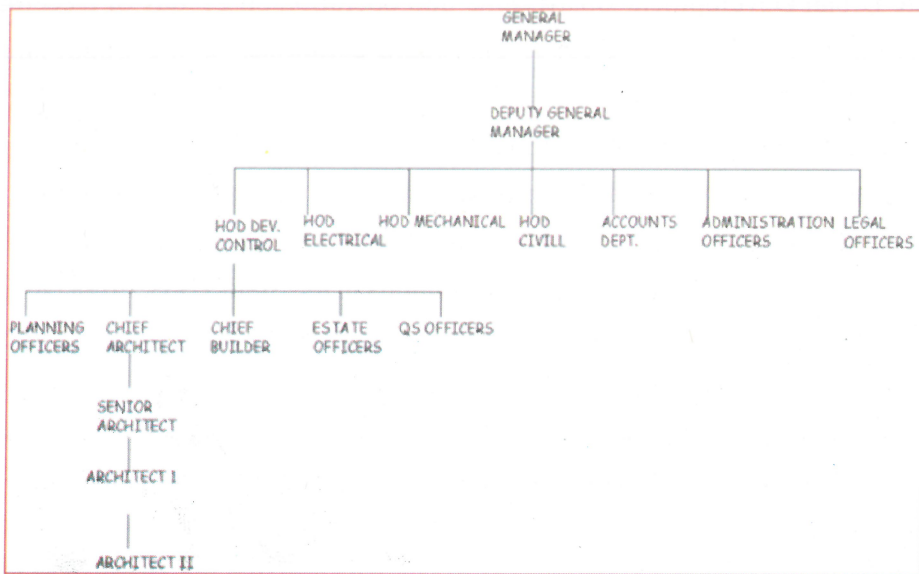


Fig. 1: Showing Organ- gram of Development Control Department at the State Old Secretariat Minna. (Source: Author's field work at DC Office Minna, 2011).

The hierarchy of Minna Development Control Department as shown in the Organ- gram starts from the General Manager down to the least officers in the various units of the department as shown in the above fig.1.

BUILDING REGULATION, CODES AND DEVELOPMENT CONTROL

Research has shown that different ministries or agencies had granted approval for development without inputs from other relevant ministries or agencies. This development has jeopardized effort of government at promoting a healthy environment. According to Alao, (2005) “reacting to criticisms which have trailed the ongoing demolition of illegal structures around the state, officials have described the situation as “inevitable” given the enormous abuse which the canals and their set-backs are subjected to”. The process of clearing the canals along Ketu/Alapere axis had claimed several causalities including places

of worship and buildings belonging to important personalities. All structures within the stipulated 15 metres set back on both sides of the canals are to be demolished. The public should always seek for building approval otherwise such buildings without approval are subject to demolition.

Keeble (1969) was of the view that “development control involves regulation of the detailed aspects of development, about which precise guidance cannot be given by the development plan, so as to ensure convenient and slight results”. In the real sense, the desire is to allow for orderly environment that will meet the requirements for ideal living. Generally, it was noticed that there was misconception about the setting up of this organ. Conversely the condition is for the good of people concerned. Perhaps this is the positive opinion held by Keeble “that a local planning Authority should, clearly understand that the sole objective of planning and planning control is to secure the right use of land and that planning powers must not be made to sub serve other ends”.

Allocation of land is normally followed up by private activities which are coordinated with public facilities by means of zoning ordinances and subdivision regulations. Moreover, zoning ordinance governs how the land may be used and the size, type, and number of structures that may be built on the land. Within a city, all land is divided into districts or zones. In these districts, certain land uses are allowed by right, with general restrictions on building height while their uses are specified.

The zoning regulations bring out the land allocations recommended in the comprehensive plan. Specific locations are given for different types of residences, industries, and businesses. Allowable building heights are specified including area of building coverage and density. Allowable land uses are specified for each zone, including special conditions such as required off-street parking. When such special conditions are met, the regulation are termed “matter-of-right”, then a building permit will be given. Other regulations provide general

standards with considerable flexibility in the mixture of building uses or the building design. These require more extensive review before approval.

The conversion of raw land (construction on previously undeveloped land) is controlled by subdivision regulations and by site-plan review. These ordinances establish standards of land development by regulating such features as roadway width, drainage requirements, traffic circulation, and lot sizes. Subdivision regulations and site-plan review guide orderly development, protect prospective and current residents from poorly designed buildings or business districts, and ensure that most of the costs of land conversion are borne by those who will benefit from the development, that is, by the developer and the future residents.

Building and housing codes govern the quality and safety of construction of new buildings, as well as subsequent maintenance. In most instances, the codes specify the materials to be used, their minimum quality, and the building components necessary in a structure that is suitable for human occupancy.

In order to have a sustainable development, Developers in conjunction with Development Control Officers should in harmony sing a wide chorus to the tune of implementation of these bye laws and regulations and other building codes to the latter.

BUILDING APPROVAL, DEVELOPMENT AND ENFORCEMENT PROCESS IN MINNA

The Control Department created under section 27 sub-sections 1 of Nigerian Urban and Regional Planning Decree of 1992 shall be a multi-disciplinary department charged with the responsibility for matters relating to development control and implementation of physical development plan. The Control department at the state level shall have power over the development control on the state lands.

It is expected that an approval with the Development Control Department shall be obtained for any land development. Secondly, a developer shall submit a development plan for the approval of the Development Control Department and finally, any existing law exempting government and its agency involved in development of land from obtaining approval of the relevant Control Department is hereby repealed.

In Minna, the approval process is of two kinds, namely:

- (a) Approval with grant or certificate of occupancy (C of O).
- (b) Approval with Local Papers. (E.g. Deed of Assignment, Sales Agreement, and Certificate of Occupancy from Local Government Area etc.)
- (a) **Approval Procedure with Grant or Certificate of Occupancy (C of O):** The requirements are as follows:
 - 1. Application form filled out
 - 2. Plans submitted
 - 3. Site Inspection
 - 4. Site Planning Report
 - 5. Actual Assessment Procedures which includes:
 - (i) Vetted and perused of Mechanical, Electrical and Structural Drawings by Asst. Engineer.
 - (ii) Vetted and perused of Architectural Drawings' adequacy by the Chief Architect.
 - (iii) Vetted and perused by Engineering Assistant
 - (iv) Reviewed all the reports, financial assessment and instruction for payment of fees by Deputy General Manager (DGM)
 - 6. Stamping and Signing of Drawing by DGM
 - 7. Issuance of Approval Letter sent to Applicant.
- (b) **Approval with Local Papers:** (e.g. Deed of Assignment, Sales Agreement, Certificate of Occupancy from Local Government Area etc.) The main difference with this

type of approval is that it required an additional documents apart from items 1- 7 listed above such as :

- (i) Survey Map signed by Surveyor General of the State
- (ii) Court Affidavit
- (iii) Evidence of Registration with the Ministry of Land.

In case of *Filling Station Approval*, it requires an additional documents to the items 1-7 listed above, they include:

- Environmental Impact Assessment (EIA) Report and
- Fire Service Report

If the review results in disapproval, then the building plans are returned and the process repeats from step two (2) that is Plans re-submitted.

Firstly, the approval process ensures compliance to the following:

- Development scale (min. square footage or value of buildings)
- Verification of ownership
- Zoning is not considered.

Secondly, a detail evaluation is conducted in respect of the following:

- The nature of Foundation, Floors, Walls, Roof, Stairs (where applicable), Veranda/Patio, Ventilation, Natural lighting, Spatial layout, Waste disposal, Site plan, Electrical, Plumbing, Storm resistance, Integrity, Aesthetics, and General Presentation.
- Other considerations include: Material types used, the classification of such building type, floor area, number of bedrooms and number of exits on all floors.
- Other information such as: the lot reference and the designer/ draftsman is also recorded.

The approval letter authorizes construction and stipulates minimum recommended floor height, period of validity of approval and any other recommendations of the City/Town Engineer.

Thereafter, it is expected that works will commence within 6 months and that the authorities will be informed as critical phases of the construction unfold; such as:

- Casting of foundation
- All major concrete pour
- Completion
- Final inspection

The processes described above are mostly adhered to in Capital Cities and to a lesser extent in the District Towns.

DEVELOPMENT CONTROL AND THEIR PROBLEMS

- **Lack of Control Measure:** Development control measures have not been successful in some states of the federation because necessary support is not coming from the government. This department always face with financial problem in carrying out their duties mostly during site work and demolition exercise.
- **None or Partially Implementation of Planning Decree:** In addressing these physical development control measures and to improve the general well being of the people, the Urban and Regional Planning Decree (88) of 1992 was promulgated. The surprising thing is that the law has not come to full operation since then. For physical development and social well being to be realized, there is need to actualize the usage of the act.
- **Miss Use of Powers:** This reaction is based on previous experience where approval is regarded difficult or impossible. Officers are often accused of miss using the powers vested in them to the detriment of the public. This development has generated complaints from stakeholders. With the present commitment on the part of concerned officers, agents and bodies responsible, an appreciable success is being recorded.

- **Exceeding Time Limit for Local Approval:** The processing of the Development Application Document is taken longer time than expected. The Nigerian Urban and Regional Planning Decree Act No.88 of 1992 section 34, sub-section 4 reads as follows: "Subject to such directives as may be given by the Federal, State or Local Governments, a Control Department may delay the approval of any application for development permission for a period of time not exceeding 3 months". Therefore, management of time is very necessary during approval processes so that revenue generated for such development by a developer should not be diverted to other things due to delay in approval procedures.

- **Lack of Zoning System:** Currently, there is no zoning system in building development at Minna. It is expected that any Developer should first of all consult or get consent from the adjoining neighbour before erecting a structure especially high rise building. However, this has resulted into negative impact on the environment such as invasion of privacy, scattering and inadequacy of planning of the environment as it should be.

- **Lack of Cooperation from the Masses:** People react vehemently to the staff of development control. Upon the prior notice order to stop work from the development control unit, some individuals still neglect such order and build on. This may be as a result of negligence, lack of cooperation and/or sensitization of what development control department is all about.

- **Obsolete Master Plan:** The existing master plan of Niger State is obsolete and therefore has restricted the flow of development in Minna. Some of the recent building developments in Minna are out of the master plan.

RESEARCH METHODOLOGY

The research method employed in this work includes personal observation through visit to Construction sites and oral interview conducted at the two local governments (Bosso and Chanchaga) that makes up Minna city and finally within construction sites and the neighbourhood. Attempt was also made to interview some of the staff of Development Control of the State. Randomly, several construction sites were visited such include Building Construction Sites along Bosso road, Minna- Bida road and site within Chanchaga jurisdiction.

Method of Data Collection

The research examined the problems with the building approval, development and enforcement process in Minna, through secondary and primary sources which involved the conduction of oral interview and descriptive survey of various sites, in order to have firsthand information.

Study Area and Population.

A total of 110 persons were orally interviewed through selective random sampling. The oral interviews were conducted in the two local government areas (Bosso and Chanchaga) that make up Minna city. The Bosso had 65 people interviewed while Chanchaga had 45 persons interviewed. The distribution of number of interviews conducted was based upon the trend of construction activities which are more in Bosso.

Sample Size

A total of 20 sites were visited and for each site 5 persons were interviewed (3 of the Land lords (Building Owners) living around each site visited and 2 construction site workers around the site.) while 10 staff from Development Control were also interviewed. The distribution is shown in table 1.0

Table 1: Showing the sample size

Population Group	Number	Percentage expression
Land lords (Building Owners)	60	55
Construction Workers at various sites	40	36
Staff of Development Control	10	09
Total	110	100

Source: Researcher's field work (2011)

A simple random sampling method was used in selection of sample base on access to information and representativeness. From the above table, it is observed that 60 out of 110 people selected are Land lords (Building Owners) representing 55%, 40 out of 110 people are construction site workers at the site representing 36% while 10 Staff of Development Control out of 110 people representing 09%.

Data Analysis

A total number of 110 persons were interviewed but only 95 people responded to all the questions asked. Therefore the data analysis used was based on 95 which represent 86% of the total number of persons that were interviewed.

Table 2: Showing Data on the Approved Building Plan from 2005 -2010

YEAR	Residential Building			Commercial Bldg			Institutional Bldg.			Industrial Bldg.		
	Apl.	Apr.	N.A	Apl.	Apr.	N.A	Apl.	Apr.	N.A	Apl.	Apr.	N.A
2005	403	157	246	27	14	13	6	4	2	6	4	2
2006	309	134	175	31	17	14	4	2	2	7	0	7
2007	377	148	219	51	38	13	0	0	0	2	2	0
2008	563	213	350	12	8	4	0	0	0	0	0	0
2009	343	193	150	14	13	1	0	0	0	2	2	0
2010	439	164	275	13	11	2	8	7	1	0	0	0
TOTAL	2434	1009	1415		101	47		13	5		8	9

KEY NOTES: Apl. - APPLICATION, Apr. - APPROVED, N.A - NOT APPROVED
Source: Development Control Minna (2011)

Buildings recorded 101 approved Buildings as well as 47 unapproved, while the Institutional and Industrial have the lowest numbers.

Table 3: Showing People's Response to Development Control and their Problems

Nature of the Problem	No of respondents		Percentage expression (100%)		Total No. interviewed
	In Support	Not in Support	In Support	Not in Support	
(i)Lack of Control Measure	80	15	84	16	95
(ii)None or Partially implementation of Planning Decree	75	20	79	21	95
(iii)Miss Use of Powers	78	17	82	18	95
(iv)Exceeding Time Limit for Local Approval	88	7	93	7	95
(v)Lack of Zoning System	92	03	97	03	95
(vi)Lack of co-operation from the populace	85	10	90	10	95

Source: Researcher's field work (2011)

From the above table, 84% representing 80 people were of the view that there is lack of control measure, 79% representing 75 people were of the view that there is none or partial implementation of Planning Decree, 82% representing 78 people were of the view that there are miss use of powers vested on some of the development control officers, 93% representing 88 people complained of exceeding Time Limit for Local Approval, 97% representing 92 people were in support that there is lack of zoning system while 90 % representing 85 people said that there is lack of co-operation from the populace. The summary was that there were strong and positive supports in the above outlined problems.

Personal Observation by the Researcher

The researcher also made several observations during the course of visits to various site while conducting oral interviews. The major observation is that despite the stop work notice/ order by the development Control; people ignorantly continue erecting building without minding the consequences. Many buildings over the years have been demolished as a result of not abiding to the rules and regulations of the development control. Below are some photographs showing some demolished buildings by the Minna Development Control.



Plate 1: Showing : Building marked for demolition due to encroachment into Govt's Layout (Illegal Title) at Site MTP 17 Bosso, Old Abattoir Road Minna. (Source: D.C. Minna 2011)



Plate 2: Showing : Building under demolition due to encroachment into Govt's Layout (Illegal Title) at Site MTP 17 Bosso, Old Abattoir Road Minna.(Source: D.C. Minna 2011)



Plate 3:Showing : Building marked for demolition due to encroachment into Road Researvation at Tunga Site Minna.(Source: D.C. Minna 2011)



Plate 4: Showing : Building under demolition due to encroachment into Road Researvation at Tunga Site Minna.(Source: D.C. Minna 2011)

EFFECTS OF BUILDING DEVELOPMENT WITHOUT DEVELOPMENT CONTROL'S APPROVAL

It has been established that most development control measures are not adhered to because the benefits expected are sometimes not easily recognized. For this reason people are usually reluctant to comply with such directives. For example, some clients did not see it necessary to obtain permission before embarking on construction of their buildings, until when such building development contravene the existing laws relating to development, that is when developers will be responsive. Some of the effects of not obtaining development control permit before development are:

- **Lack of Standard:** Where there is no control for standardization, things do not take the right shape. The fact that zoning systems are not in used in Minna and couple with the inconsistency of not abiding with the building codes, rules and regulations of the development control; developers are then free to design to their taste and put up building anyhow and anywhere. As a result buildings are not organised, standardised and scattered all over without proper access road and setbacks to such sites just like Kpakungu slum area, Bosso road and in Minna -Bida road as captured in the plates below.



Plate 5: Showing Building along Bosso Road Minna with 1.4 m Side-Setback between Buildings of different compounds whereby eave of one building encroaches into the next compound. (Source Researcher's field work 2011)



Plate 6: Showing Building under construction along Minna -Bida Road marked by the Development Control for contravening the law. (Source Researcher's field work 2011)



Plate 7: Showing Recent construction works at Bosso Estate Minna with less than 600mm setback from the left-side, right and rear sides of the Fence. (Source Researcher's field work 2011)

- **Endangering Safety of Lives and Properties:** According to Eze (2008) quoting Onolaja O.A et.al (2007), posited that the non – involvement of professionals in the design and construction process, poor workmanship, lack of proper supervision and monitoring by the development control regulatory agencies, as well as the wrong choice of building materials and methods are responsible for the causes of the reported cases of building collapse. Endangering safety of lives and properties may result when development authority fails to be in control of sprawling development by ensuring that developments are in the hand of professionals.
- **Pollution of the Environment:** The beauty of an environment depends largely on: the planning of the environment, monitoring, use of good building materials, aesthetics of individual buildings and adequate supervision of projects to see if developments are in compliance to the regulation of Development Control. Building maintenance, renovation and extension cannot be properly done without the services of professionals through the permission of Development Control Department. When these aforementioned are not followed, the environment is being polluted

- **Waste of Resources as a Result of Demolition:** One of the ultimate goals of a sustainable development is to conserve our resources. Non compliance to the Building Code and other building regulations finally leads to demolition of such property which may be termed waste of human resources. (See plates 1-4 above).
- **Building Constructed becomes Nuisance to Neighbours:** There is always a problem of Constructed buildings becoming nuisance to the neighbours when there is freedom to decide individually on what to be done at sites. When the necessary steps for development approvals are not adhered to, down to monitoring of project during construction; such buildings become nuisance to the neighbours, since the developer has to take decisions on zoning height, setbacks etc. Imagine having a filling Station beside a residential house, this Filling Station becomes a nuisance to the occupant of the adjoining residential building.
- **Quacks taken over Building Design and Construction:** Cognisant of the menace of quacks in the building industry, once there is no check on sprawling massive buildings developments in a given area, quacks automatically take over.
- **Encourages Derelict Land:** Derelict land can be described as spaces, old building sites or work sites that lay waste due to human activity or inactivity in whatever magnitude and thus put into disuse until probably reclaimed. Harris, et al, (1996) "defined derelict land as areas, so damaged by Industrial or other development that is incapable of beneficial use without treatment". The widely used method of treatment is land reclamation (act of conversion of unusable land to make them commercially viable for purpose of development). Where there is no control over land usage, much land spaces will be wasted.

RECOMMENDATION

One of the major difficulties of Development Control Unit is the enforcement of the control laws and regulations. Personnel involved in this area should be encouraged and rewarded as when due. Effort should be made to stream line the conditions for carrying out responsibilities within this setting. Officers should ensure that undue excuses, delay and corruption should be avoided as much as possible. Also power vested in this office should not be abused as is often done through arbitrary refusal to grant approval. Genuine case must be treated promptly and innovative ideas that can help resolve any teething issue should be employed as when due.

More so, the urban and regional planning Decrees 88 of 1992 have not been put to test to ascertain the effectiveness of the law. Particularly some planning authorities have started its implementation; efforts should be made so that all concerned shall use the law as expected. There is need for new and relevant, bye laws, edict, acts and regulations to channel the new course of challenges in the planning profession so that the gains associated with the discipline can be appreciated by all. Where possible, modern information techniques should be introduced so that computers can be used for development control exercise and the computer should be protected against virus attack as well as provision of Internet; E-mail and other information methods. Modern information strategies should be enhanced to eliminate and reduce unreliable and poor data formation for any purpose.

Officers in charge of information units are encouraged to release information to deserving clients who need it for research and other benefiting purpose after their certification. The housing computerization exercise at federal, state and local government level should be, intensified. This, the author feels will help government to enhance their revenue base and further assist in resolving land acquisition procedures in rural and urban centres ensuring that land use act of 1978 and other relevant land laws are used as document of reference. This type

of work will help government to formulate policies, reduce, unnecessary expenditure, assist in planning generally and forecast.

The Niger State Government should speed up on their action on the preparation process of new Master Plan to replace the obsolete and exhausted old Master Plan.

Finally, members of the public are warn to ensure going through the right door during building approval process for the safety and sustainability of our villages, town, local government, state, federal government and the entire nation at large.

CONCLUSION

To attain the desire result for certain decision, it will be necessary to take advantage of the law in expressing it. Many of our settlements did not have master plan and where such exist it has not been fully operational. The needs for guidance as we proceed with rural and urban development are fundamental. Regulations and controls exist in the form of laws and powers granted to public officials when democratic government is operational, laws and public power comes into being when proved essential to the public interest. Making the law and instituting public power and effecting changes takes time.

Therefore, for a development control exercise to be successful; new ideas that will meet current and future needs must be integrated into their operation. In order to preserve already planned settlement and guide against others developing into slum. Development control unit must be accorded its rightful place in areas of planning in sustaining our environment.

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