

Adequate housing provision and challenges of enforcement of minimum standards and setbacks in Oyo community¹

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Abstract

The focus of the 21st century-built environment professionals is not just about building houses, rather conscious effort geared towards adequate housing provision and enforcing minimum standards and setbacks with the aim to achieve a sustainable environment. This study assessed adequate housing provision and the challenges of enforcing minimum standards/setbacks in Oyo community. To achieve this, various literatures in form of published journals and books shall be consulted. Visits to various sites were done where pictures of building projects that are below the minimum or approved standard were seen and captured. The study identified practical cases of selected houses which do not conform to the minimum standard, identified the major reasons why they do not meet minimum standards and the factors affecting enforcement and compliance, determined the impact of the identified factors and proffered solution to the identified challenges. The study further encouraged collaborative efforts aimed at effectively tackling further challenges and as encouraged efforts aimed at providing quality housing devoid of deviation from minimum standards.

Keywords: *Adequate housing, Enforcement, Housing, Minimum standards and Setback.*

1.0 Introduction

Housing plays an important role in countries' economies, and because of this importance, the housing sector makes up a prominent part of the total economic activity of most countries. The increase in population has contributed to the inability of many families to provide their own dwellings, while others settle for the next available alternative which most times is below standard. There is a need on the part of governments to play a significant role in solving these housing challenges so as to ensure sustainability and economic stability.

¹ How to cite this paper: Joel, M. O. and Ifediora, C. O. (2024). Adequate housing provision and challenges of enforcement of minimum standards and setbacks in Oyo community; *PM World Journal*, Vol. XIII, Issue III, March.

According to UNHABITAT, (2014), adequate housing was recognized as part of the right to an adequate standard of living in the 1948 Universal Declaration of Human Rights and in the 1966 International Covenant on Economic, Social and Cultural Rights. Adequate housing is expected to meet certain conditions (standards) that are in line with the expected or approved standard i.e. adequate housing must provide more than four walls and a roof according to UN HABITAT (2014). They further stated that a number of conditions must be met before particular forms of shelter can be considered to constitute “adequate housing.” In defining what must be part of the conditions that must be met in order to confirm adequacy of an accommodation it is expected that accommodation available have safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage or refuse disposal for the occupant. It is expected to be habitable thus, guarantee physical safety or provide adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards. More so, as much as possible not or if located in polluted or dangerous areas.

The question is, are the available accommodation adequate based on the above parameters? If not, has there been effort aimed at enforcing those standards? Hence it a recurring issue seeing development within Ajegunle and Awe area of Oyo which do not comply with minimum standards – (not adequate by way of description), a case which appears to be total deviation from the set down standards. This situation is becoming worrisome thus suggesting that enforcement of the minimum standards is proving difficult if not impossible.

The Nigerian built environment is seriously facing challenges particularly on enforcement of minimum standards. This situation calls for concern and sincere efforts towards tackling such challenges especially as it concerns adequate housing. There has been continual non-adherence to minimum standard and as well why development which does not conform to the planning standard and setbacks gets approved in the first place i.e., if approval was sought and obtained in the first place. This situation requires serious attention.

While provision for adequate housing – a basic need to ever growing populace is very critical to the performance of occupants (populace) activities as well as in meeting the internationally acclaimed basic human right of provision of adequate housing, it is imperative to note that there is need to ensure that such development comply with minimum standard. A cursory look at the determinant of non-compliance in meeting minimum standards is the notion that developments tend to have taken place before planning takes place i.e., in most cases planning meets development. So, enforcement of minimum standards seems difficult.

The situation in the study area as far as planning standard and conformity is concerned calls for serious attention. Most accommodations do not meet up with specified standards thus, are seen as not adequate and some reason has been identified by various scholars such as administrative bottlenecks associated with the process of obtaining development permit, Obadoba and Tifwa, (2020). Multiple inconsistencies such as spatial conflicts between urban and regional plans, most prominently stemming from conflicts in administrative boundaries and a lack of interdepartmental coordination, a lack of strategic environmental assessment and inadequate implementation of land use plans caused by e.g., insufficient funding, lack of political will, political interference, corruption as challenges facing land use planning strategies for urban and environmental sustainability, Enoguanbhor (2021).

It is against the foregoing that this study is proposed to assess the challenges militating against enforcement of minimum standards and setbacks with a view to suggesting the best possible ways to ensure that future development conforms to the minimum standard, hence adequate. To this end this study addresses the following objectives; identify issues/practical cases of selected houses which do not conform to the minimum standard, identify the major reasons why they do not meet minimum standards/factors affecting enforcement and compliance, determine the impact of the identified factors and proffer solution to the identified challenges. The study is limited to the views of the staff members of Ajayi Crowther University (ACU) community; it is believed that they are more enlightened to answer questions on the subject matter due to their literacy level and as well believed to be concerned on the adequacy accommodation available.

2.0 Literature Review

The problem of enforcement of minimum standards and setbacks has been reoccurring in a developing nation like Nigeria and has been a subject of debate by scholars. One cannot talk about adequate housing in the absence of or mention of minimum standard and setback hence, observing minimum standards and setback in development of any house is what will eventually bring about adequate housing. Moreso, the issue of adequate housing, minimum standard and setbacks has been a source of literary discourse where several scholars have been dissecting the subject matter, making valid observations as well as finding together with recommendation on the same. In other words, there has been sound and extensive literature in the past and more is still expected. More review of the empirical and related literature on the subject matter will aid in better understanding of the topic.

Owolabi B O. (2019), opined that housing quality has to do with the physical conditions of the housing units in a particular area in terms of their structural soundness or fitness, ventilation, natural and artificial lighting as well as essential facilities such as water, electricity, telephone services, toilet, bathroom, kitchen among others. This study confirms the view held of the definition of adequate housing, this means that in addition to identifying what constitutes quality housing, it must also conform to the standards expected of an adequate housing. Owolabi further stated that good quality housing provides the foundation for stable communities and social inclusion, therefore is essential to planning. He added that it does not only ensure the safety and wellbeing of people, but promotes beauty, convenience and aesthetics in the overall built-up environment.

The United Nations Committee on Economic, Social and Cultural Rights stated specifically that the right to adequate housing should not be interpreted narrowly. Rather, it should be seen as the right to live somewhere in security, peace and dignity. They noted that the characteristics of right to adequate housing is explained in the Committee's general comments No. 4 (1991) on the right to adequate housing and No. 7 (1997) on forced evictions, they include;

1. **The right to adequate housing contains freedoms.** This involves protection against the arbitrary destruction and demolition of one's home, the right to be free from arbitrary

interference with one's home, privacy and family; and the right to choose one's residence, to determine where to live and to freedom of movement.

2. **The right to adequate housing contains entitlements.** The variables include: security of tenure, housing, land and property restitution, equal and non-discriminatory access to adequate housing and participation in housing-related decision-making at the national and community levels.
3. **Adequate housing must provide more than four walls and a roof.** Adequacy is considered with following criteria.
 - **Security of tenure:** housing is considered adequate if its occupants have a degree of tenure security which guarantees legal protection against forced evictions, harassment and other threats.
 - **Availability of services, materials, facilities and infrastructure:** housing is considered adequate if its occupants have safe drinking water, adequate sanitation, energy for cooking, heating, lighting, food storage or refuse disposal.
 - **Affordability:** Housing is adequate if its cost does not threaten or compromises the occupants' enjoyment of other human rights.
 - **Habitability:** Housing is said to be adequate if it guarantees physical safety or provides adequate space, as well as protection against the cold, damp, heat, rain, wind, other threats to health and structural hazards.
 - **Accessibility:** Housing is not adequate if the specific needs of disadvantaged and marginalized groups are not taken into account.
 - **Location:** Housing is adequate if it is not cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or if located in polluted or dangerous areas.
 - **Cultural adequacy:** housing is adequate if it respects and takes into account the expression of cultural identity.

In a bid to define adequate housing or quality housing, an attempt was also made to define what can be said to support the course hence, development control. Odekunle, Akindele and Adebayo (2019), stated that development control aims at enhancing environmental quality, improved housing conditions, privacy in residents and free flow of air among others. With development control in place, the minimum standards and setbacks can be ensured as minimum standards are well spelt out in various States Urban and Regional Planning Board Edicts while taking bearing from National Planning law of 1992.

According to Owolabi (2019), the housing situation in Nigeria is very critical in urban centres and this is reflected in high house rent, increasing occupancy ratio, excessively high density of population ratio and encroachment of open spaces. The problems are reflected in the poor quality of housing units and inadequate infrastructural facilities such as roads, drainage, water, electricity supply etc. The findings from this study may be seen to be pointing to the situation in the study area. The state of the physical environment, particularly the urban areas, is a major source of global concern; the concern is greater in respect of developing nations like Nigeria, Odekunle, Akindele and Adebayo (2019).

Ogundele, Ayo, Odewumi, and Aigbe, (2011), in their study stated that despite the importance of development control measures in physical environmental balancing, a series of factors still hinder its effectiveness. This study still confirms the existence of challenges in ensuring adequate housing as well as the attendant problems that relate to enforcement of minimum standards and setbacks. Ogundele, *et al* (2011), in addition identified a number of challenges hindering effective development activities in Lagos state.

The enforcement of standards to meet definition of adequate housing have also been captured in several studies and with attendant challenges seeking attention. Akeem, Olutayo, and Theophilus (2018), reinforces the argument that weak implementation of planning regulations and the lack of political determination have resulted in the poor implementation of planning standards and laws regulating urban improvement adding that Planning regulations were partially or not enforced to standard. Ola, (2011), stated that the enforcement of the control laws and regulations constitute the major difficulties in the development control unit of Lagos State Physical Planning. He identified non-compliance to planning standards as part of major challenges of metropolitan areas.

A number of challenges were identified in some related studies. According to Odekunle, Akindele and Adebayo (2019), challenges of development affecting development control in Ogun state include lack of planning scheme to guide physical development, again the findings are not entirely different from other related researches done by other scholars. Oluwaseyi, (2019), in another study stated Physical Planning Administration in Ondo state is faced with diverse challenges, the government and its agency cannot solve these problems alone it is a joint responsibility of the entire society to protect the and preserve it from degenerating faster than expected.

The study added that there is no single approved layout plan in the area studied and that the level of awareness of the community to planning activities is moderate. If there was approval, then how did the existing structures come to be? This is a clear invitation to non-conformity to minimum standards and setbacks. Enoguanbhor, *et al* (2021). Identified key challenges of land use planning and its environmental assessments to improve the urban and environmental sustainability of city-regions and as well explored means for overcoming these barriers to rapid, yet environmentally sound urban growth.

Findings identified a lack of Strategic Environmental Assessment and inadequate implementation of land use plans caused by a number of factors. These factors can be said to be in line or similar if not same with similar research carried out in the recent past by some scholars. Oduwaye, (2009),

established that there is a problem confronting physical and environmental development in Lagos which he classified into physical/environmental, cultural/sociological, managerial and legislative problems. Oduwaye further stated that Land information is a critical element towards achieving sustainable physical environment adding that there is need for free access to land information by the public at the touch of a computer button.

3.0 Research Methodology

This research adopted field approach, here several properties were visited and pictures taken while emphasis was laid on adequacy of housing provision, enforcement of minimum standards and setbacks. Cases of violations were identified. The survey part involves getting answers on specific questions pertaining the house the respondents live in, as well as level of compliance on the minimum standard, the setback and adequate housing. The methodology was more of descriptive using pictures to buttress the findings from the field.

4.0 Findings

Few of many cases of violations of minimum standard and setbacks



Figure 1: Approach view or entrance of a purpose-built shopping plaza/complex that was converted, situated at No1 Atukale Street off Ajegunle/Yidi road Oyo.

The property was converted to residential self-contained accommodations and single rooms. These rooms are not adequately ventilated, windows too large in terms of size. Minimum setbacks not well observed.



Figure 2: Picture showing the front view, back view of the and distance between the house and fence of the purpose-built shopping plaza/complex converted to residential accommodation situated at No1 Atukale Street off Ajegunle/Yidi road Oyo.

The pictures in figure 2 show the windows and sizes, a typical slide window which is below the expected standard, not adequate for ventilation; these windows are just one in each room. The setback between the rooms and the wall are not even enough and less than 1m in measurement.



Figure 3: A purpose-built shopping complex located around Yidi road at the time of conversion to residential property.



Figure 4: Fully converted purpose-built shopping complex to residential to 3 numbers 3-bedroom apartment, the minimum setback not well observed.

The distance between the building and fence not up to required meter(s). The developer trying to make provision for adequate ventilation made the fence somehow low with burglary above dwarf fence as means of protection but the challenge here is that the building in the next compound or that which shares the fence is also very close to the wall hence, the provision for adequate ventilation is defeated. The building can be seen also adequate in some aspect as there is evidence of provision of water, electricity and security of the compound through the use of electric fence with barb wires.



Figure 5: Residential Building along Olubose Street, Ajegunle area of Oyo.



Figure 6: Residential Building along Olubose street, Ajegunle area of Oyo

The properties shown in figures 5 and 6 are all around Olubose street with clear violations of minimum setbacks, residential houses as well as shops built almost close the gutters. The ones in figure 6, their windows are just by the roadside facing the road. Here there is no guarantee of privacy in any of these houses.



Figure 7: *The interior of convenience of purpose-built warehouse converted to 1 room self-contain.*

The picture shows the toilet that is built or created into the apartment. The ventilation is very poor as there is no window, the only window available is connecting both the toilet and kitchen which implies that the needed air that will be circulated to the toilet must be from the kitchen including light source. On a normal day is there is no, the toilet remains dark and this is bad for Nigerian state where power/electricity supply is very bad and even worse in the area where the property is located.



Figure 8: *The outer and interior of purpose-built warehouse converted to 1 room self-contain.*

The figure 8 above shows the window, which is slide. It is not even enough for the required ventilation and too small to allow for free flow of air into the room.

In all the residential houses identified in figures; 5, 6, 7 and 8 none has good source of water supply.

5.0 Conclusion and Recommendation

It could be observed from this study that most of the houses do not meet up the minimum requirements, therefore considered not adequate for housing. The issue of development control has to be given a high priority.

Most of the houses violate minimum standard and setbacks - which is a disturbing fact as the minimum setbacks are encroached on by permanent structures such as shops, houses to the demerit of the environment.

Windows and doors give ventilation to rooms within a home, and there are regulations on how much ventilation is allowed. The type and extent of ventilation will be determined by the room's use and size. Most of the structures have windows that are below the expected standard for adequate ventilation. This is often made worse by the toilet and kitchen joined to the main building as an afterthought. They are often dark and block ventilation from other spaces.

The general lack of environmental infrastructures such as roads, drains, sanitation waste disposal and recreational facilities is an issue that will require governmental and institutional intervention. The majority of the poor who live in the residences studied cannot afford to provide these.

Also, there is the need for enforcement on the part of the government to ensure planning standards are adhered to and setbacks are respected for the different land uses in the area.

Moreover, there is a need for continuous awareness on the importance of planning standards and how they should be adhered to in the study area. We, therefore, recommend a vigorous education programme, possibly through the mass media and other locally accessible fora, for all the residents in the city.

6.0 References

Enoguanbhor, E.C., Gollnow, F., Walker, B.B., Nielsen, J.O. and Lakes, T. (2021). Key Challenges for Land Use Planning and Its Environmental Assessments in the Abuja City-Region, Nigeria. *Land* 10, (443). <https://doi.org/10.3390/land10050443>

Obadoba, J.O. and Tifwa, H.Y. (2020). An assessment of the level of compliance to planning laws and regulations in Okene Town, Kogi -Nigeria. Retrieved from https://www.researchgate.net/publication/346133183_An_Assessment_of_the_Level_Of_Compliance_to_Planning_Laws_and_Regulations_in_Okene_Town_Kogi_-_Nigeria

Ola, A. (2011). Development Control in Lagos State: An Assessment of Public Compliance to Space Standards for Urban Development. *International Multidisciplinary Journal, Ethiopia*. 5(5), 169-184, DOI: <http://dx.doi.org/10.4314/afrev.v5i5.14>

Ogundele, F. O., Ayo, O., Odewumi, S. G. and 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.

Akeem, O.A. Olutayo, O.O. and Theophilus, A.A. (2018). Planning regulations and implementation mechanisms in postcolonial Lagos. *Journal of Globalization Studies*, 9(2), 91–106. DOI: 10.30884/jogs/2018.01.07

Odekunle J.F, Akindele D.B. and 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.

Oluwaseyi, O.O. (2019), Assessment of Physical Planning Administration in Nigeria. *Environmental Analysis & Ecology Studies*. 5(1), 451 – 471. DOI: 10.31031/EAES.2019.05.000602

Owolabi B O. (2019). Assessment of Housing Quality in Osun State, Nigeria. *Environmental Analysis & Ecology Studies*. 5(5), 574 – 589. DOI: 10.31031/EAES.2019.05.000625

Oduwaye, L. (2009). Challenges of Sustainable Physical Planning and Development in Lagos. *Journal of sustainable development*. 2(1), 159 - 171

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