THE NEED FOR THE INCOORPORATION OF DRAINAGE INFRASTRUCTURE IN CONDITIONS FOR THE GRANT OF DEVELOPMENT PERMIT IN NIGERIAN CITIES AND TOWNS- A PANACEA FOR FLOOD PREVENTION.

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ABSTRACT
This study is focused towards providing ways in which prospective developers in our communities will partner with the government towards reducing the menace of flooding in our cities. The study thus investigated the criteria used by Town Planning Development Boards and Authorities to grant approval for building permit to prospective developers. The Adamawa State Urban Planning and Development Boards with its Zonal Town Planning offices were examined using the set out criteria for the grant of approval for building permit. It was found that there is no requirement for developer to create drainage that will channel run-off water and waste water from his/her development, knowing full well that lack of drainage in built environment is a factor in the cause of flooding in our neighbourhood, towns and cities. Thus the study recommends that Urban and Regional Planning ought to include the provision of drainage by a developer in his development, should form part of requirement for the grant of approval for building plan.

KEY WORDS: Building Plan Approval, Drainage, Developer, Development Control, Site Inspection.

INTRODUCTION
Nigerian is an emerging urban society. Consequently urban problems are bound to affects urban settlements due to accompanying developments. One of such problems is flooding which has plaques Nigerian cities in recent times. Understandably, floods are caused by lack of channelling runoff water from the developed areas to appropriate discharge, thereby forcing its way across natural gradient or stagnate in the environment which in the long run has severe consequences for the neighbourhood in which its found. Flood prevention can be tackled before or after. Before is most appropriate. Tackling flood prevention is the role and function of government; in the provision of infrastructure. Government through site and services scheme make provision for infrastructure which include road, electricity, drainage, water, medical services, security service and much more. This can be regarded as pre flood planning, while post flood planning normally takes places when flood occur in a town, neighbourhood or on a larger scale the urban centre. The government then begin provision of drainage to avoid reoccurrence.

Reflecting back at incidences that occur in 2012 across the country, it shows that error has been made on the part of government to have allowed the growth of settlements on a larger scale without making provision for drainage. Now government is in a dilemma on how to provide these drainages. The questions we are bound to face concerning provision is; can government provide this drains? Is government willing? Are the resources available?

The resources may be available, but government does not see it as a priority. Government mostly do not forecast physical developmental problems, rather look at the revenue generation. Hoornweg, et'al (2001) stated that "where city or municipal government have proved unable or unwilling to provide the infrastructure, services, institutions and regulations to reduce risks from extreme weather events for many of their people they are likely unable to develop capacity necessary to adapt to change".

Freire and Stren (2001) reported that the USA and Great Britain Under the leadership of Ronald Reagan and Margret Thatcher "aside from reducing the size of the civil service at all levels and deregulating important areas of the economy, both leaders felt that many public functions could be performed better and more cheaply and efficiently by the private sector, or at least by the public sector using the private
sector methods”. This shows that government may not be well equipped to handle many of its function even if the resources are available.

This paper thus, seeks to review the role of The Nigerian Urban and Regional Planning public agencies in the prevention of flood in our Cities, Urban and Rural Committees. This will be achieved by reviewing the official statutory provisions in the Nigerian urban and regional Planning Act which grants powers to the Development control department to exercise control in the way land is used.

METHODS

All provisions granting power to the development control department will be reviewed to identify areas that can be explored as means of involving private and public developer in the control of flood in cities, urban and rural areas. The Nigeria Urban and Regional Planning Act 2004 will be examine and any other provision that may be considered appropriate. The study is thus limited to only examining the role of the Nigerian Urban and Regional Planning Public Agencies in the control and prevention of flood in our settlements. Observation were also made on the immediate environment and how development is carried out by developers.

LITERATURE

Storm water in urban areas results from extensive reduction of natural ground surfaces by the impervious built area, runoff rate is greatly influenced by the gradient of the land (Atuegbu, 2005, Darell and Weyman 1977). Atuegbu, (2005), further concurred that uncontrolled storm water causes erosion consequently flooding the low land especially if the up land is more urbanized. The more surface area covered by the build up area, the more the surface runoff that will be generated. Floods in urban areas can be caused either by water flowing through the city originating in far away areas or by excess rainwater generated over the area of the city, which cannot be absorbed in the soil or discharged away fast enough (Watson et'al 2001). Ekop et'al (2007) States that physical planning offers a way of reducing risk from urban flood and super flood. Among other data required for planning against flooding is the spatial aspect of the proposed development programmes. They further stated that "the wide coverage demanded of practitioners of water and management and land use planning that has a specific dedication to the lessening of risk in the face of water disaster emphasizes the need to adopt a systematic approach that can offer a framework within which to shape land use policy and implementation management...". Similarly, case study demonstrates that where regulation is being used to shape development of urban infrastructures, this is mainly through the use of planning requirement rather than direct regulation of for example water provision or energy services (Hoornweg, et'at 2011). Hoornweg, et'at further explains that in the partnership roles, the second set of partnership projects takes place on a smaller scale and usually involves the private sector working with the municipality to develop new forms of infrastructure rather than in maintaining existing systems or working to improve their resilience for climate change adaptation. similarly, Freire and Stren (2001) advocated and stressed the importance of incorporating community perception into projects planning. Farvecque-Victovic et'al (2005) also stressed that sometimes the responsibility for main overflow points falls to the municipality and therefore it is advisable to list them. The Nigerian Urban and Regional Planning Act 2004 Section 30 sub-section 1 state that "A developer (whether private of government) shall apply for development permit in such manner using forms and providing such information as may be prescribed by regulation made pursuant to this sections. It was found out that these information required include:

i. C of O and or Sales Agreement
ii. Site Plan
iii. Detailed Plan (architectural, Structural and Electrical)

This requirements as applied currently does not demand developers to incorporate drainage facility in their site plan. This makes the general public to be expectant of government with respect to drainage provision.
The Development Control Department also embarks on site inspection. This is a follow up process on developers who have been granted approval to erect any structure or make development on a land, to ensure that what is developed comform to the approval granted.

FINDINGS AND DISCUSSION

Section 27 of the Nigerian Urban and Regional Planning Act CAP. N138 Laws of the Federal Republic of Nigeria 2004, provides for the constitution of a multidisciplinary body to be called "Control Department" which is charged with the responsibility for matters relating to development control and implementation of physical development plans.

Section 28 explains the requirement for the grant of development permit which include submission of development plan by the developer to the department. It also states the requirement of both public and private development to be subject to the Control Department. Section 30 (2) also requires that no development should take places before approval is granted. This gives the Control Department enormous power that can be used in divergent manner and for enforcement.

In section 31, grounds for rejection of development permit were given. In sub section 2 of section 31, it says "if in the opinion of the Control Department, the development is likely to have major impact upon the environment, facilities or inhabitants of the community or contains such additional facilities which are not within the estimation of the Physical Development Plan for that community, approval may be rejected. Similarly, section 33 requires developer to submit his application for development permit together with a detailed environmental impact statement for consideration before permit can be granted. In the case that the development exceeds 2 hectares of land.

The study shows that the urban and regional planning has provisions it could use to enforce on every developer be it government or private to make provision for the channelling of waste and runoff water from their property. The provisions in sections 31 and 32 provide clear grounds to reject granting permission for any development, if it appears that the development is likely to be injurious to the neighbourhood.

Observations also shows that most buildings and developments cover a relative land space that accumulate rainwater which runoff to the street or major drains when available. Without proper channelling of runoff water it stagnate and pool in the street which eventually increase in quantity and prevents free movement of people and leads to destruction of lives and property. Base on the observations also it is evident that every structure placed in the environment has impact on its surrounding. Thus every building or structure erected in the urban setting has direct impact to its surrounding. Environmentally buildings and structures prevent the direct seepage of water into the ground there by forcing the water to flow and accumulates as runoff thus causing erosion and where not controlled or channelled flood the environment. This demands that every structure that must be erected in the build environment must be accompanied with an Environmental Impact Statement report this is to make the developer know the consequences and impact of his development to the environment. Thus, dragging his attention to the need to partner with the government in solving the problems created or harnessing the potentials as the case may be.

CONCLUSION

The study finds that provisions in the Nigerian Urban and Regional Planning Act 2004, can be manipulated and tailor to suite any provision required by the Town Planning Agency to enforce development and provision of infrastructure. Thus, with the inability of Government to provide infrastructure due to growing demand and lack of planning in some areas, and with the recent global diversion towards climate change there is need for government to explore all avenues to meet this global change. These provision in the Nigerian Urban and Regional Planning Act 2004, gives the control department powers that can be enforced through site inspections, requiring developers to construct drainage facilities in and around their properties. Flooding has become a pandemic which needs to be attended to if Nigeria government will not want a repeat of what happened in 2012. Site inspection
enables the Development Control Department to follow up on developers who have been granted permission to carry out development. Therefore, with the incorporation of drainage facility provision by intending developers into their site plan, it will prevent flood and erosion since every house will be make provision for drainage to evacuate runoffs from their properties.

RECOMMENDATIONS
The control department is empowered by the Urban and Regional Planning Act 2004 to protect the environment (lives and properties) thus; the profession should work with the government to improve on ways that can make provision for private developers and public developers to partner in the provision of drainage the channelling of runoff water generated on their properties.

Developments in floodable areas should be demolished by powers of no compensation for owners, unless if genuine occupancy right is involved. Compensations in such cases should be by the government that granted the occupancy whether local government or state government.

The inclusion of environmental impact statement (EIS) should be made compulsory for all kinds of development no matter the size of land in questions. Since all development contributes to urbanization which in turn affects adjoining properties. The water runoff accumulate by built up structures in neighbourhoods comes from the roofs of individual development, thus the need for the developers to partner with government in the provision of drainage facilities.

The government should make commitment in the provision of drainage along primary and secondary roads while the drains along tertiary roads should be constructed by individual development through interconnection until it connects the secondary drain that drains water from the neighbourhood.

AREA FOR FURTHER STUDY
Further study should be made towards areas to be covered in the environmental impact statement required by the development control department of Nigerian Urban and Regional Planning Agencies, i.e. the surface area that is liable to generate runoff, the proposed amount of waste to be generated and the level of noise.

REFERENCES.

