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DESIGN STANDARDS AND CODE ENFORCEMENT  
IN LOW COST HOUSING

by

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## DESIGN STANDARDS AND CODE ENFORCEMENT IN LOW COST HOUSING

Design Standards are universally employed in development control sections of any local authority. They are also universally disliked by architects and developers, generally through a belief that these standards are employed too rigidly by local authority officials. I believe that in Kenya at present we are suffering from a mutual lack of understanding between those working in the field of low cost housing generally and the officials whose duty it is to enforce the standards, policies, bylaws and building codes that control low cost housing development.

My intention is to examine and explain some of the reasons for this mutual suspicion and tentatively suggest a few solutions. I have deliberately avoided discussion of specific standards or By-laws partly because I do not think it would serve much purpose but mainly because I myself feel strongly that our planning and building legislation needs reviewing and I do not intend to devote this paper to a defence of the current standards or the way we attempt to enforce them instead. I hope to generate discussion on the ways in which design standards and enforcement procedures presently used in Nairobi could be improved. Any opinions I have expressed are mine and should not be construed as reflecting Nairobi City Council policies.

The current concern in Kenya over low cost housing stems from two sources. Firstly there is a greater awareness of the needs of the lowest income earners with the result that successively poorer target groups are being aimed at. But unless all standards are dropped there is a limit (generally agreed to be about the poorest 20% percentile of the population) below which formal provision is impossible. Secondly, with the particularly rapid inflation we have suffered since 1973 the poor are now poorer in real terms.

It is therefore inevitable that design standards which were originally formulated as minimum requirements have become regarded as a barrier to full scale assistance in the low cost housing field. In such a situation, faced with the prospect of building a substandard house with the slight risk of it being demolished, or having no house at all, it is not surprising that most informal sector developers regard the local authority as an irrelevance, at best, and the enemy, at worst.

In the case of the low cost schemes in which institutional involvement takes place (World Bank, FEC, or USAID, for example) local authority approval is obligatory. But the same problems of dynamic building costs versus static design standards arise. Couple this with the pressures such agencies can and do exert to ensure that the schemes they are funding keep within the original target population and it will be appreciated that a potentially impossible situation develops. Despite the old adage of "He who pays the piper, calls the tune", I believe that

the international agencies need to pay closer attention to the progress of their projects and to distinguishing between what are the normal squeals of protest over a tight contract and what are genuine grounds for a review of this contract.

It is all very well to be told that Kenyan design standards are too high according to a global criteria and that we are being unrealistic or even elitist, but whereas the donor agency may well be giving or lending the money to build the scheme, ultimately it is the local authority who will have to maintain it and it is almost invariably the case that the lower the capital infrastructure investment the greater the subsequent maintenance bills for this infrastructure.

Studies carried out by Nairobi City Council suggest that about 10,000 dwelling units are built every year in the City; of these about 80% are not submitted for planning approval and would almost certainly fail to satisfy the standards used to vet applications.

It therefore follows that not only are the great majority of low cost housing completions not submitted for planning approval, but that such schemes as Dandora, Huruma, Kariobangi, and Umoja are relatively insignificant. Indeed one could go so far as to say that all the debate over standards aroused by these schemes, important though the principles may be, is irrelevant to the task of building urban low cost houses to a satisfactory standard and at a sufficient pace to keep abreast of demand.

Given this huge and widening gap between the formal housing supply and the informal demand, and despite the development problems and subsequent high maintenance costs of site and service and upgrading projects, it is an inescapable conclusion that such projects provide the only hope of a solution.

Unfortunately our legislative planning and building controls are not geared towards such activities and this is clearly reflected in the standards that derive from these controls. Not only this but our standards are highly technical pieces of legislation which were drawn up for technical and professional people to use. In the country of harambee I think it is ironic that those of us involved with the implementation of development control do not and cannot give more encouragement to selfhelp schemes. I believe that the time devoted to the preparation of a Plain Mains Guide to Building a "Low Cost House", perhaps in several languages, which could be made freely available would be invaluable.

I have mentioned previously that in my opinion the time is ripe for a review of our planning and building legislation. The Building Code has been in operation for 9 years, while the City Council Building By-laws have been in operation for 29 years. The Town Planning Act of 1968 does not refer to Nairobi. Our legal basis for development control therefore predates any awareness or response to the relatively recent problem of low cost urban housing on a large scale.