

Land and Housing management

Week five

Housing Development and Construction

By

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Last week

- The land regulatory environment
 - Trends in land regulation in Uganda
 - The constitution
 - The land Act
 - The National LAND Policy
- Gender and land ownership
 - Women and land ownership

This week: Housing Development and Construction

Objective

- To analyze the housing development and management regulatory environment

- Understanding Housing development and construction
- The housing regulatory environment
 - Uganda's history of housing regulation
 - The national housing policy
 - Housing development standards
 - The practice vs the regulations

Housing Development and Construction

- Housing development and construction is a process, involves creations of residential buildings, neighborhoods or communities.
- Transforming raw land into habitable spaces
- Process is multi-faceted, with an integration of various disciplines and phases

The housing development process (steps)

- **Planning and designing** – identify suitable land, feasibility checks, permits and approvals, check regulations, designs and layouts
- **Land preparation** – can include ground leveling, vegetation clearing, infrastructure installation
- **Construction** – actual building

- **Inspections and quality control** – ensure buildings meet safety, structural and regulatory standards
- **Marketing and sales** – activities to attract potential buyers or tenants
- **Handover of occupancy** – allow tenants or buyers
- **Post-construction services** – maintenance

Uganda's Housing and the housing development status

- Housing development in Uganda is primarily done privately – by land owners (own housing or rental housing) and real estate developers.
 - Over **77 percent** – owner occupied (over 88% in rural and 48% in urban)
- There are varying housing development outcomes – disparities
- National Housing Policy (2016) acknowledged a housing backlog of;
 - 1.6 million housing units
 - 1,390,000 in rural areas
 - 210,000 in Urban areas

The housing regulatory environment

- Legal and institutional framework governing the housing sector in a particular jurisdiction
- Includes laws, policies, regulations and institutions
- Aims at;
 - Ensuring access, adequacy, affordability and quality in the housing sector
 - Ensuring safety, sustainability and wellbeing of housing occupants
- Regulatory environment therefore has components like;
 - Standards, regulations and codes
 - Policies
 - Plans (urban planning, physical planning)
 - Laws (anti-discrimination laws, landlord-tenant laws)

Trends in Uganda's housing regulation - policies

- **Colonial policies**
- **Post-independence policies**
- **Policies in the 70s and 80s**
- **The National shelter strategy (1992)**
- **The National Housing Policy (2016)**

- **Colonial policies**

Policies catered for Europeans and a few times for the Asians

- Focused on physical separation
 - Senior quarters (Europeans)
 - Junior quarters (Asians)

Ugandans and others provided for their own accommodation in the periphery – **informal settlements and slums**

At the end of WWII, returning soldiers agitated political space and better housing conditions – **East African Royal Commission ...**

The East African Royal Commission (1953 – 1955)

- Recommended the establishment of African Urban Housing
 - Construction of workers' houses in some area
 - Relaxation of building standards in some areas

- **Post-independence policies**

General public remained uncatered for, former expatriates houses were taken over by senior Ugandan civil servants

Government housing policy emphasized housing for low income people

- 1964 – **National Housing Corporation** was established
 - To cater for low-income people
 - To sell building material at reasonable cost

However, objectives were not met due to challenges – limited financial resources and other socio-economic/ political

- **Policies in the 70s and 80s**

- Constrained by political instabilities – little effort to review or implement
- Attempt to draft a comprehensive NHP in 1978 – never completed due to change of government
- After 1979, governments pursued strategies that aimed at;
 - Improving access to infrastructure and services
 - Upgrading schemes
 - Reviving the housing industry
 - Reconstruction and re-development – war ravaged areas

- **The National shelter strategy (1992)**

Birthered from the UN General assembly resolution number 41/190 of December 1987

National Shelter Strategy adopted in 1992

- Objectives

- To formulate viable shelter strategies – improve shelter and living conditions
- Strengthen policy making and housing programing capacities of key actors

- Adopted an enabling approach – gov't to support NGOs, private sector, CBOs – provide decent and affordable shelter

- Had a 10-year implementation plan

- Policy statements included;

- Rehabilitation of housing industry
- Increasing the housing stock
- Facilitation of home ownership – depending on affordability
- Improve housing conditions. Etc.

The National Housing policy

Commencement – 2016

- Vision: **Adequate Housing for all**
- Goal: Provide a **framework that provides housing for all**
- Objectives
 - To increase the production of adequate housing for all income groups
 - To improve the quality of the existing housing stock
 - To promote the efficient utilization of energy and other resources
 - To increase access to affordable housing
 - To improve security of land tenure
 - To improve the mechanisms for development and management of real estate industry

Housing policy issues (selected)

- Rigid current legal framework – unable to guide in the country side
- Limited coordination among actors and stakeholders
- Limited access to planned, serviced and affordable land for housing
- High cost of building materials – high and unaffordable cost of finished housing units
- Absence of dedicated housing departments in local governments
- Inadequate human settlement plans and policies for urban areas – haphazard housing development, no consideration for poor
- Obsolete legal framework for the management of rental housing

Housing standards and regulations

- Housing standards are provided for under the **National Physical Planning standards and guidelines** by the ministry
- Physical planning – the active process of organizing the structure and function of places to ensure an orderly and effective development process
 - The deliberate determination of spatial patterns

- Provides a framework through which all spatial development activities (including **housing development, industrial development, social and physical infrastructure, agricultural development**) are managed
- Overall aim of physical planning –
 - Achieve orderly, coordinated, efficient and environmentally sound social and economic development
 - Secure the proper use of land

- Objectives

- Equitable and balanced spatial distribution of development
- Orderly, efficient and coordinated socio-economic development
- Facilitate equitable distribution of services
- Integration of the functions of rural and urban settlements
- Optimum use of land – agriculture, industry, settlements, forestry and infrastructure among other land uses

Residential standards

- Chapter 2 of the **National Physical planning standards and guidelines** provides for housing development regulations – residential standards
- Statutorily – all residential developments are subject to physical planning regulations
- Provides for regulations that should influence;
 - The patterns of housing development
 - Orderliness of housing development
 - Appearance – size, material used and shape/ design
 - Access to the development

Residential standards – regulations

Plot size and shape

- Provides for permissible plot size ranges
- Size differs according to densification classifications

Building lines

- Lines must be set back from plot boundaries
- Building lines targeted to ensure privacy, safety and provision for amenities

Plot coverage

- Maximum percentage building should cover on a given plot area
- Coverage varies according to residential zones

Plot access

- Provides for easy access to roads
- All developments be erected on plots with direct vehicular access to a road
- 3 meters wide private drive way in low and medium density areas
- Sufficient turning space
- Provides for access for corner plots

Parking space

- Car parking space regulated depending on the densification characteristics

Design / material

- Regulates on material to be used – permanent
- House orientation – careful consideration
- Privacy of people in adjoining plots – in case of storied buildings
- Location of service areas – latrines, dustbins, drying areas etc.
- Future extensions

Boundary fencing

- Permitted fencing – hedges, wire and perimeter wall
- With particular restrictions

Access to utilities

- Water – all residential plots must be served
- Drainage
- Sanitation – all developments in urban areas with water-borne toilet facilities
- Solid waste disposal – proper storage, proper collection
- Power supply – access to permitted power sources, subjected to approved entity's conditions and regulations

Landscaping




- Provides for residence appearance improvement – make more attractive
- Existing mature trees be maintained
- Tree planting be done

Ancillary uses

- Provides for support facilities and structures like;
 - Swimming pool – permitted
 - should be within the building lines
 - be fenced off for safety
 - Guest wing – permitted
 - shouldn't be more than 10m away from the main house
 - should be connected through a walkway
 - Shouldn't be more than 2 bedrooms and
 - should include bathrooms
 - Temporary structures (dog kennel, charcoal store, poultry house) – permitted.
 - Should be at rear of the plot
 - Business premise – NOT permitted

The practice vs. the regulations

- Densification classifications are there
- Low density areas mostly meeting the standards and regulations
 - Spacious plots with single or semi-detached houses
 - Fenced off
 - Direct vehicular access
 - Beautifications and support facilities
 - Secure and safe
- High density areas mostly with no observance to standards and guidelines
 - No observance to building lines and plot coverage
 - No observance for privacy and security
 - No observance for zoning restrictions

Set Standards and regulations	Low density	High density	Actual situation			
			Kololo	Kisenyi 2	Kagugube	Kivulu
● Plot area	1000 – 2000 sq m	300 – 600 sq m	Big plots about 4000sq m	Tight-spaced shared plots	Shared plots	Tight shared plots
● Front building line	8m	3m	Above 5 metres	Less than 2 metres mostly	Less than 3 metres	Less than 2 metres
● Side building line	3m back 2m. 2m sides	2m. 2m	3m and above	Less than a metre. Closed in	1 metre or above in some places	Less than a metre
● Every plot with direct vehicular access				On some plots. Mostly footpaths	On Some plots	Just houses by the roads, rest access footpaths
● Detached developments must be designed to ensure privacy				Houses closed in with door along foot paths	Closed-in	Houses closed-in with entrances along footpaths
● Residential buildings must not be used for business purposes				Restaurant activities in houses	Retail shops in houses	Mixture

Conclusion

- Housing development and construction done mostly privately
 - Land owners
 - Real estate developers
 - Private organizations or institutions
- Housing development regulated
 - National housing policy
 - Physical plans
 - Housing standards (physical planning standards and guidelines)

- Gap between the regulations and the actual situation
 - Practices do not mostly meet the regulations – previously unplanned areas
- There are challenges with the enforcement and implementations of policies, standards and regulations
 - Implementation in selected areas

Next week!

- Housing Development and Construction (continuation)
 - Actors in housing development and construction
 - Approaches to housing development and construction

References

Republic of Uganda, Ministry of Lands, Housing and Urban Development (2016). The Uganda National Housing Policy.

Republic of Uganda, Ministry of Lands, Housing and Urban Development (2011). National Physical Planning Standards and Guidelines