



# Control Policies in Spatial Planning for Sustainable Development:

## Land Use Conversion in Kuningan Regency

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**Abstract.** Land conversion is a significant issue in regional development such as Kuningan Regency, a conservation district with prominent tourism and agricultural resources. The growing demand for land for residential, industrial, and infrastructure development frequently surpasses initiatives aimed at environmental preservation and food security. The phenomenon further threatens sustainable development, ecological functions, and community well-being. The study addresses two main questions: how land conversion takes place and what control policies can be implemented to achieve sustainable development. The study utilizes a socio-legal approach, integrating normative legal analysis with empirical assessment of social conditions and field implementation. The findings showed that land conversion frequently occurs from productive agricultural areas to non-agricultural uses. Although regulations such as the Law on Sustainable Food Agricultural Land Protection (PLP2B) and various local policies exist, their implementation remains weak due to poor inter-agency coordination, limited oversight, and low levels of community participation. In addition, economic pressures and investment interests further drive uncontrolled land conversion. The proposed solution emphasizes the need to strengthen community-based control policies, promote transparent spatial planning, ensure consistent law enforcement, and provide incentives for agricultural land conservation. The integrated strategy is expected to enable Kuningan Regency to harmonize economic growth with environmental sustainability

**Keywords:** Land Conversion, Control Policy, Sustainable Development

## 1 Introduction

### 1.1 Background of the Study

Kuningan Regency is part of the Ciayumajakuning strategic area, which includes Cirebon Regency and City, Indramayu Regency, Majalengka Regency, and Kuningan Regency has strong potential in agriculture, agribusiness, and the economy [1]. Nevertheless, rapid economic growth could threaten ecological sustainability if there is an imbalance in effective spatial planning practices. Regional Regulation No. 26 of 2011, the Kuningan Regency Spatial Plan (RTRW) for 2011–2031, serves as the primary legal basis for spatial planning management in Kuningan Regency. Its

implementation, in fact, faces challenges, such as inconsistencies between land use and established spatial patterns, as well as the limited spatial utilization control instruments. Spatial planning control policies remain crucial for sustainable development, particularly in areas like Kuningan Regency, which lies at the foot of Mount Ciremai. In 2006, Kuningan Regency was designated as a conservation district, meaning that all implemented programs are directed towards sustainable development, balancing the optimal use of natural resources for the community's prosperity. Therefore, achieving the vision of a conservation district depends on the active participation and support of all stakeholders, particularly the local government and the community [1].

Following the enactment of Law Number 23 of 2014, the Regional Government, regions were granted autonomy to regulate and manage their own affairs. Consequently, both provincial and district/city governments have the authority to formulate spatial planning in line with the interests of their communities [2]. Each province, city, and district must establish regulations that serve as guidelines for spatial planning and development. Thus, spatial planning control becomes imperative [3]. Spatial planning control is the process of ensuring that land use aligns with established spatial plans, as stipulated in Law Number 26 of 2007 on Spatial Planning. The enactment of the law, along with its implementing regulations, reflects the government's commitment to managing effective spatial law in Indonesia [4]. An excellent spatial planning regulates land use to achieve a balanced economic development and environmental preservation. Through effective control, governments can ensure a wise and sustainable management of natural resources, protect the environment, and promote development without compromising quality of life.

Spatial Planning Law consists four components of spatial control measure including: (1) zoning regulations, which is the foundation for controlling spatial use in line with long-term and medium-term regional development plans; (2) licensing, to ensure that spatial utilization complies with applicable regulations; (3) the enforcement of strict sanctions: criminal, civil, and administrative for social control; and (4) the preparation of a Detailed Spatial Planning Plan (RDTR), as a derivative of the Regional Spatial Plan (RTRW), which provides more precise regulations [5].

Several previous studies denote that the Kuningan Regency government has not been fully effective in implementing the four components of spatial planning control. As a result, various issues have emerged, including the unauthorized conversion of agricultural land into commercial or residential areas, infrastructure development that disregards established zoning, insufficient supervision of green open space utilization, and the absence of regional regulations governing the Detailed Spatial Planning (RDTR) [6]. These issues are driven by population growth and regional development, contributing to land consumption. In other words, spatial planning control is highly significant and needs stronger oversight. Due to suboptimal implementation, however, the intended goals of sustainable development have not yet been fully manifested. As Tranggono emphasizes, achieving proper synchronization requires collaboration between central and regional government agencies/ ministries, clear RDTR policies, socialization of RDTR policies, and the commitment and

consistent implementation of related agencies [7],[8]. In coastal areas, inadequate spatial planning, weak regulatory frameworks, ineffective processes and procedures, institutional shortcomings, and the lack of available resources are key factors contributing to deviations in spatial utilization [9]. A heightened interest from local government is required, given the lack of supervision and insufficient commitment from stakeholders [10]. Meanwhile, Isep H. Insan et al. stated that in discussing environmental sustainability, we need to consider to what extent spatial planning laws align with urban growth and environmental preservation. The Key issues include regulatory effectiveness, implementation challenges, and community and stakeholder engagement.

Accordingly, the study focuses on reviewing spatial planning laws related to green open space zoning regulations to better understand their challenges, opportunities, and impacts on sustainable development [11]. Environmentally based development ensures that all aspects of planning and implementation are aligned with the principles of environmental, economic, and social sustainability. Research indicates that approximately 32.65% of land use in Kuningan Regency is inconsistent with established spatial patterns, which is caused by population density and proximity to the district capital[12]. In practice, its implementation encounters problems, such as the unauthorized conversion of agricultural land into commercial or residential areas and infrastructure development that disregards established zoning regulations. These challenges are largely driven by population growth and regional development, which in turn shape patterns of community land consumption [13].

Spatial planning policy control is implemented through systematic data collection on prevailing spatial conditions. To achieve proper synchronization, collaboration between central and regional government agencies and ministries is essential[14]. Clear RDTR policies, their effective dissemination to the community, as well as the seriousness and consistency of relevant agencies, are also significant [15]. In coastal areas, inadequate spatial planning, weak regulations, ineffective processes and procedures, institutional limitations, and the unavailability of supporting resources are factors contributing to deviations in spatial utilization [16]. Thus, a heightened interest from local governments is required, given the lack of supervision and insufficient stakeholder commitment. The study examines how local governments formulate spatial planning control policies to support sustainable development, particularly in Kuningan Regency.

## **2 Research Methodology**

The study employs a non-doctrinal method with a socio-legal approach. In the context, the law is not merely conceptualized as a set of principles and rules governing social life, but also encompasses the institutions and processes through which these rules are applied. It further reflects the symbolic meanings of social actors, manifested and observed in their actions and interactions [17]. Thus, the study examines the relationship between legal and extralegal factors employing a socio-legal approach which integrates normative and sociological perspectives.

Therefore, the study focuses on spatial planning control policies implemented by the Kuningan Regency in pursuing sustainable development

### **3 Findings**

#### **3.1 Study of Land Conversion in Kuningan Regency**

Kuningan Regency, situated at the foot of Mount Ciremai, has long been recognized as one of the regions with a strong agricultural character in West Java. Its agricultural land not only supports local food security but also represents a cultural identity. In recent years, nonetheless, Kuningan has faced a serious challenge of rapid land conversion. The shift from agricultural land to residential, tourism, and commercial uses has significantly transformed the landscape and the living space. Such land conversion does not occur in one night. There are some contributing factors such as rising demand for space driven by population growth, urbanization, and the expansion of the tourism sector. While local governments promote economic growth through tourism and property investment, these initiatives are often not supported by strict spatial governance. A number of once-productive agricultural areas, previously functioning as local food barns, have been converted into villas, hotels, and exclusive residential complexes. Ironically, some of these developments have no strong legal foundation, while others directly violate the prevailing Regional Spatial Plan (RTRW). Examples include the ongoing expansion of housing in water catchment areas, construction along newly developed roads, and the increasingly large-scale conversion of agricultural land into non-agricultural uses.

Efforts to maintain spatial use in line with established plans are referred to as spatial planning control. The mechanism ensures that spatial utilization complies with the RTR provisions and proceeds as planned with no adverse environmental impacts. Laws are established to be implemented; when they cannot be enforced, they lose their function as laws. In essence, laws may be understood as explicitly formulated rules intended to govern behavior. As stipulated in Article 35 of Law Number 26 of 2007 on Spatial Planning, spatial planning control may be implemented through zoning regulations, licensing, the provision of incentives and disincentives, as well as the imposition of sanctions.

Zoning regulations are derived from a comprehensive spatial plan for each designated utilization zone. Both central and regional governments issue permits in accordance with their respective authorities, as regulated by statutory provisions. Article 38 Paragraph (2) of Law Number 26 of 2007 on Spatial Planning provides the legal basis for the use of incentives and disincentives. Furthermore, under the same law, sanctions may be imposed to halt spatial utilization that does not comply with established spatial plans and zoning regulations. The legal issues that emerge are miscellaneous. Even though Indonesia possesses strong regulatory frameworks, such as the Spatial Planning Law and the Sustainable Food Agricultural Land Protection Law, their implementation at the regional level is frequently fragile. In Kuningan

Regency, the conversion of land use continually appears without revisions to the Regional Spatial Plan (RTRW) or permits. Within the framework of spatial planning law, such practices are categorized as administrative violations and, under certain circumstances, may even carry criminal implications. In response, the Kuningan Regency Government has undertaken several corrective measures, such as the revision of RTRW in 2022. The revision is intended to harmonize spatial planning with recent developments and enhance control over strategic and vulnerable areas. Furthermore, a more participatory approach has also been adopted, encouraging community involvement in the planning process.

At the same time, policies to protect agricultural land are being reinforced. Through the Sustainable Food Agricultural Land Protection (PLP2B) program, local governments have designated agricultural zones that cannot be arbitrarily converted. In areas such as Jalaksana and Cigugur sub-districts, as well as parts of Luragung, digital land information systems are being developed, alongside efforts to strengthen the capacity of village officials to monitor development activities. In addition to regulatory measures, the Kuningan Regency Government also addresses the root causes of land conversion by empowering the economy of the community, which aims to reduce the incentive to sell agricultural land to developers. Meanwhile, village-based initiatives such as educational agro-tourism, strengthening village-owned enterprises (BUMDes), and agricultural processing training are for adding economic value without sacrificing productive land.

In terms of law enforcement, since 2021, an Integrated Spatial Planning Supervision Team has been established, comprising representatives from the Attorney General's Office, the Public Works and Public Housing Agency, and the National Land Agency. Several development projects violating zoning regulations have been subjected to administrative sanctions, including permit revocation and fines. Although these measures have not resolved all issues, they reflect a stronger commitment to concrete law enforcement at the local level. The experience of Kuningan Regency reflects a broader reality faced by many regions in Indonesia which are the tension between the need for development and the imperatives of environmental protection and food security. The legal challenges of land conversion are not merely a matter of regulatory compliance, but also the long-term sustainability of community living spaces. The effectiveness of policies in Kuningan will ultimately hinge on the government's ability to maintain regulatory consistency, build cross-sectoral collaboration, and empower communities, so they do not become victims of spatial planning irregularities.

### **3.2 Spatial Planning Control Policy for Sustainable Development: A Study in Kuningan Regency, Indonesia**

Spatial planning has consistently been a vital component of national development. It is not merely concerned with geographic location, but also with the planning, utilization, and control of space in a fair, sustainable, and environmentally responsible manner. Given Indonesia's vast territory and rich ecological diversity, spatial planning policy serves as a crucial instrument for achieving sustainable development [18]. Sustainable development is a concept that balances three key dimensions: economic, social, and environmental. Its implementation should focus on economic growth, environmental sustainability and intergenerational equity. To prevent negative impacts on ecosystems, communities and maintain social and cultural identity, spatial planning must be managed carefully [19].

As stated previously, spatial control is an effort to ensure that spatial use complies with established spatial plans. It means that the government has the authority to conduct supervision, provide incentives and disincentives, and impose sanctions. However, in practice, spatial planning control continues to face serious challenges. Primarily, the weak coordination between central and regional governments in formulating and enforcing spatial policies. Overlaps between development permits and established spatial plans are not uncommon. These things open up uncontrolled land conversion, the construction of residential areas in water catchment areas, and the clearing of land in protected forest areas [20].

The study on spatial planning control policies in Kuningan Regency reveals that the region is in the process of revising its Regional Regulation on Spatial Planning, as the existing provisions are no longer adequate. The revision is being aligned with Minister of Public Works and Public Housing Regulation No. 16 of 2009 concerning Guidelines for the Preparation of Regency Spatial Planning Plans. The new regional regulations are expected to harmonize the regional planning, optimize the regional potential, put more attention to environmental sustainability, improve effort on risk management and disaster mitigation, and increase multi-sectoral cooperation [21]. With these parameters in place, it is expected that spatial planning control in Kuningan Regency will be further optimized to ensure the achievement of sustainable development.

However, development pressures from the investment sector often make it difficult for regional governments to prevent spatial planning violations. In pursuit of increasing local revenue (PAD) and creating employment opportunities, some local governments have opted to issue development permits even when such projects contravene the established Regional Spatial Plan (RTRW). The phenomenon demonstrates an imbalance between short-term economic gains and the principles of sustainability. In the context of sustainable development, spatial planning control must be viewed as a strategic instrument that not merely restricts development, but directs it to be more targeted and environmentally sound while avoiding harmful long-term consequences as well. One concrete example is the management of river basins (DAS), which have suffered severe damage due to residential and industrial development, ignoring environmental carrying capacity. Without firm and integrated control policies, watershed degradation can cause floods, droughts and crises to clean water, directly impacting quality of life [22].

Spatial planning control policies inherently carry a social justice dimension. When certain areas are designated for industrial or tourism purposes, local communities may be displaced from their living spaces. Without sufficient protection mechanisms and meaningful public participation, spatial control risks turning into a tool that legitimizes the domination of space by a limited elite. Therefore, the concept of good spatial governance must underpin spatial planning policies, emphasizing transparency, participation, and accountability.

The role of the community in controlling spatial planning is crucial and cannot be overlooked. Community participation in the formulation of the Regional Spatial Plan (RTRW), monitoring the implementation of development projects, and reporting spatial violations represent concrete forms of public involvement in achieving sustainable development. Unfortunately, spatial literacy levels in public remain low. Many residents are unaware that they live in a disaster-prone zone or protected area. It highlights the importance of widespread and accessible education and dissemination of spatial planning information. To strengthen spatial planning control, several legal approaches can be optimized. Preventive approaches can be implemented by tightening licensing procedures and integrating strategic environmental assessments (KLHS) into every planning process. A curative approach is applied through the enforcement of administrative, civil, and criminal sanctions against spatial planning violations. In addition, a collaborative approach involving non-state actors such as civil society, academics, and the private sector is essential for fostering more inclusive and adaptive spatial governance that can respond effectively to changing circumstances.

The government also needs to integrate spatial planning policies with climate change mitigation and adaptation policies. Sustainable development in the current climate crisis is inseparable from the urgency of preserving green areas, mangroves, and water resources. Spatial planning is not only about physical zoning, but also about managing a region's ecological functions in a measured and planned manner. Therefore, spatial planning control should be integrated into the national strategy to address the increasingly tangible impacts of climate change.

Several regional examples illustrate how effective spatial management can advance sustainable development. For instance, Surabaya is recognized for its progressive approach to managing green open spaces, supported by regional regulations and incentives for residents who actively contribute to environmental protection [23]. In Bali, efforts to restrict development in sacred areas and traditional agricultural zones are carried out through the reinforcement of customary law (*awig-awig*), which is recognized within the national legal framework. The example demonstrates that effective spatial control depends not only on formal regulations but also on local values and leadership that promote environmental sustainability [24].

However, many regions have struggled to maintain effective spatial planning. The Puncak area in Bogor serves as an example of such failure, experiencing flash floods, landslides, and downstream water scarcity. Despite regulations prohibiting the construction of villas and residential areas above certain

altitude zones, weak oversight and corruption in permitting have left the area ecologically degraded [25]. The case reflects short-term spatial governance failure and demonstrates the need for reform, as well as a stronger and more independent oversight system. These issues highlight that spatial planning is not merely a technical matter but also reflects the political and legal aspects of national development. When spatial planning control policies are implemented consistently, based on data, and in a participatory manner, space can serve as a tool for achieving intergenerational prosperity and equity. Conversely, when spatial planning remains a mere formality without effective control, the concept of sustainable development risks becoming empty rhetoric. Accordingly, strong political commitment from all parties, particularly stakeholders at both national and regional levels is highly required. Harmonization of central and regional policies, transparency in permitting, strengthening the capacity of supervisory authorities, and active public participation are important for effective spatial planning control. Without these measures, the principles of sustainable development risk remaining purely theoretical.

## 4 Conclusion

The phenomenon of land conversion in various regions of Indonesia highlights the tension between economic development, particularly in tourism and housing and the imperative to maintain food security and environmental sustainability. Despite the presence of a robust legal framework, including the Spatial Planning Law and its implementing regulations at the regional level, practical enforcement remains weak. Inconsistencies between development activities and regional spatial plans, weak oversight, and short-term economic incentives have contributed to the systematic degradation of productive land. Nevertheless, initiatives such as the 2022 revision of the Regional Regulation on spatial planning, increased community engagement, and village-level empowerment indicate that the solution lies in inclusive, consistent, and ecologically responsible spatial governance.

Spatial planning control policies in Kuningan Regency are essential not only for ensuring orderly development but also as a key instrument in addressing the climate crisis, disaster risks, and social inequality. The experience of regions such as Puncak in Bogor demonstrates that spatial planning without effective controls can result in severe ecosystem degradation and the loss of community living spaces. Therefore, participatory, transparent, and integrated spatial governance is required, alongside synergy between statutory law, local wisdom, and regional leadership. If spatial planning is used for intergenerational justice, sustainable development ceases to be a utopian ideal and becomes an achievable reality.

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