

HOUSING DEVELOPMENT URBAN SPRAWL AND SUSTAINABLE FOOD AGRICULTURAL LAND PROTECTION

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Abstract

The provision of land for large enough housing development tends to interfere with food agricultural land. In fact, the government is also required to ensure the protection of sustainable agricultural land. The problem that will be discussed in this study is how housing development policies can be aligned with the protection of sustainable food agricultural land. The research method used in this study is a normative research method using statute approach, case approach and comparative approach related to housing development policies in relation to the protection of sustainable food agricultural land. The results of the study show that urban sprawl greatly affects and Sustainable Food Agricultural Land to build housing. Therefore, a housing development policy with the vertical dwelling method is needed, especially in urban areas or in urban areas to create a balance.

Keywords: *Policy, Housing Development, Sustainable Food Agricultural Land Protection*

A. INTRODUCTION

Housing and settlement development is one of the basic human needs. As mandated by Article 28 H Paragraph (1), it states that every citizen has the right to be able to live prosperously, physically and mentally, to live, and to get a good and healthy living environment.¹ Article 5 of Law Number 1 of 2011 concerning Housing and Residential Areas (Housing Law), explains that the state is responsible for the implementation of housing and residential areas whose development is carried out by the government.² Housing development and the protection of Sustainable Food Agricultural Land are important aspects of the state's goal of ensuring the availability of housing.³ The number of Indonesia's population is always increasing every year. Until 2023, the total population of Indonesia will reach 278.696, million people who need a place to live and while the land area cannot increase.⁴ This results in high land prices which results in the tendency to use Sustainable Food Agricultural Land because it is cheaper and from the farmer's side it is more profitable if it is converted than for agricultural land. Every resident has the right to adequate housing and the state has an obligation to guarantee its availability. Therefore, a housing development policy is needed which is the government's obligation to realize the availability of housing for the community that still guarantees Sustainable Food Agricultural Land Protection.⁵ Housing development is not only about meeting the needs of residents for housing, but also about improving the quality of life, economic growth, and social stability. Housing development that supports the availability of housing for the community is closely related to the availability of land. Land is one of the key factors in the housing development process, and the availability of adequate and

¹ Kurniati, Nia. "Fulfillment of the Right to Decent Housing and Residential Areas and Their Implementation According to the International Covenant on Economic, Social, and Cultural Rights in Indonesia." *Journal of Law* 1.1 (2014). 45-55

² Stephen, Camelia Fanny, and Hasyim Hasyim. "The Development of the Cooperative Economy in Indonesia." *Neuroscience* 7.2 (2018): 59-68.

³ Wahyuni, Raden Ani Eko. "The development of the Islamic economy in Indonesia through the implementation of sharia fintech." *Court: Journal of Islamic Law Studies* 4.2 (2019): 184-192.

⁴ <https://www.bps.go.id/indicator/12/1975/1/jumlah-penduduk-pertengahan-tahun.html>

⁵ Pujiwati, Yani, and Betty Rubiati. "The transfer of agricultural land for the construction of houses for low-income people (MBR) is reviewed from Law Number 1 of 2011 concerning Housing and Residential Areas and Law Number 41 of 2009." *Acta Diurnal Journal of Notary Law* 1.1 (2017): 19-30.

strategic land can affect the success and impact of such development in particular. The high demand for land for housing development results in the high price of land needed, resulting in a tendency to build on Sustainable Food Agricultural Land.⁶

As happened in Lampung Province, the conversion of agricultural land is widely recognized for housing development on Sustainable Food Agricultural Land, causing a decrease in agricultural land. The Lampung Provincial Government through the local Food Security and Horticulture Office continues to tighten permits for the conversion of agricultural land into non-agricultural areas, this is because the decline in Sustainable Food Agricultural Land in Bandar Lampung City has decreased from 2020 with a total area of 433,308 hectares in 2023 to 222,874 hectares. The provincial government does not want to compromise and tighten the issuance of permits for entrepreneurs, including developers who will convert agricultural land, let alone productive land or irrigation streams. Apart from urban areas that are vulnerable to land conversion because there is no more land that can be built except to take Sustainable Food Agricultural Land, border areas surrounding the city are also very vulnerable to land conversion, such as South Lampung Regency and Pringsewu Regency. The conversion of agricultural land to non-agricultural land in Pringsewu is increasingly massive. The rate of agricultural land conversion in a number of regions also seems uncontrollable. Based on BPS Pingsewu data, the decrease in Sustainable Food Agricultural Land decreased from 13,678 in 2017, to 515.74. hectares in 2023.⁷ This can occur due to urban sprawl, also known as urban sprawl or creeping settlements, is a phenomenon that refers to uncontrolled urban growth and spreads to surrounding rural or fertile areas. The rate of land conversion from what was originally used for agriculture is inevitable.⁸ The rise of agricultural land conversion has a real negative impact on national food security.⁹ This threat is quite large,

⁶ Ayu, Isdiyana Kusuma, and Benny Krestian Heriawanto. "Legal Protection of Agricultural Land Due to Land Conversion in Indonesia." *JU-ke (Journal of Food Security)* 2.2 (2018): 122-130.

⁷ BPS Kabupaten Pringsewu in 2023

⁸ Nurpita, Anisa, Latri Wihastuti, and Ike Yuli Andjani. "The Impact of Land Conversion on Food Security of Farming Households in Temon District, Kulon Progo Regency." *Journal of Gamma Societa* 1.1 (2018): 103-110.

⁹ <https://nasional.sindonews.com/berita/1495129/18/konversi-lahan-pertanian-Lawan>, retrieved September 12, 2022.

namely around 3 million ha of irrigated and non-irrigated rice fields are threatened to be converted to non-agricultural land throughout Indonesia.¹⁰

The research method used in this study is a normative research method using the statute approach, the case approach, and the comparative approach related to housing development policies in relation to the protection of sustainable food agricultural land. The statute approach is to examine matters related to legal principles, legal views and doctrines, and laws and regulations related to housing development policies in relation to the protection of sustainable food agricultural land, with accurate data and accountable for their truth.¹¹ In addition, an in-depth examination of the legal facts was also held to then try to solve the problems that arose in the symptoms concerned.¹²

B. RESULTS AND DISCUSSION

1. Degradation Of Sustainable Food Agricultural Land Due To Urban Sprawl For Housing Development

Rapid urban growth is a hallmark of modern times. More and more people are migrating to big cities in search of jobs and better life opportunities. This leads to rapid urban growth, which often results in urban sprawl or uncontrolled urban sprawl. One of the impacts of this urban sprawl is the rampant conversion of agricultural land, plantations, and protected areas (Sustainable Food Agricultural Land) for housing development. Urban sprawl can be defined as unplanned and often excessive urban expansion, resulting in an increase in the size of urban areas without adequate consideration of environmental and social impacts. This phenomenon often occurs due to rapid population growth, increasing demand for housing,

¹⁰ <https://beritagar.id/artikel/berita/penyusutan-lahan-sawah-mengancam-ketahanan-pangan>, retrieved September 8, 2022.

infrastructure, and public facilities. However, urban sprawl also has serious consequences.¹¹

One of the main impacts of urban sprawl is the conversion of agricultural land, plantations, and protected areas into housing.¹² This can threaten food security, eliminate natural habitats, and cause important ecosystem damage. In addition, land conversion can also reduce people's access to valuable agricultural land and natural resources and threaten food security. In order to overcome this problem, there is a need for wise and sustainable urban planning. Urban growth must be directed in a planned and sustainable manner, taking into account its impact on the environment and local communities. In addition, policies that regulate the conversion of Sustainable Food Agricultural Land are needed, including alternative land use that is more in line with conservation goals.¹³ Governments, property developers, and communities need to work together to address urban sprawl and protect Sustainable Food Farmland. This involves efforts to identify and prioritize areas that should be protected, as well as developing strategies to balance urban growth with environmental conservation. Urban sprawl and the rampant conversion of Sustainable Food Farmland for housing development is a serious problem that requires serious attention. We must strive to develop sustainable cities and respect our natural environment. With wise planning and cooperation between all parties, we can overcome

¹¹ Aprildahani, Baiq Rindang, Abdul Wahid Hasyim, and Turniningtyas Ayu Rachmawati. "Conversion of Agricultural Land in Karangploso Urban Area, Malang Regency as the Impact of Urban Sprawl." *Indonesian Journal of Environment and Sustainable Development* 5.2 (2014). 12-23

¹² Wijayakusuma, Bagas. "Factors Affecting the Land Conversion of the Water Catchment Area of Cimenyan District." *Journal of Regional and Urban Planning Research* (2023): 29-38.

¹³ Kamim, Anggalih Bayu Muh, Muh Rusmul Khandiq, and Ichlasul Amal. "The Paradox of Regional Development, the Implications of Poverty After the Transfer of Agricultural Land Due to Urban Sprawl in Sleman Regency." *Journal of Tradition* 2.1 (2019): 12-25.

these challenges and maintain the sustainability of our environment for generations to come.¹⁴

2. Paradigm Shift in Housing Development Policy in Relation to Sustainable Food Agriculture

The conversion of Sustainable Food Agricultural Land due to housing development will have an impact on natural resources and national food security, especially for housing development as explained in previous research by Rodhatul Nasikhin in 2022 regarding the implications of the construction of the trans-Sumatra toll road on the sustainability of agricultural land in Lampung Province which explains that the construction of the trans-Sumatra toll road in Lampung Province is a PSN that has been converting agricultural land into food which is also protected by laws and regulations. The construction of the trans-Sumatra toll road has implications for the reduction of agricultural land covering an area of 69.71% which is plantation land and 27.77% which is agricultural land out of the total land used, which is 6,324,671.00 m². Based on data from the National Land Agency (BPN), it shows that every year around 100,000 hectares of rice fields are turned into other uses outside agriculture. The reduction of rice fields and plantations due to land acquisition for infrastructure development indirectly displaces the livelihoods of rural or remote communities.¹⁵ In addition, the change in regulations on the protection of sustainable agricultural land in the Job Creation Law will actually worsen the fate of farmers.¹⁶

¹⁴ Nugroho, Imam Setyo, Eppy Yuliani, and Jamilla Kautsary. "The Phenomenon of Urban Sprawl on Factors of Land Use Change in Suburbs." *Uniplan: Journal of Urban and Regional Planning* 3.1 (2022): 1-8.

¹⁵ Ayu Candra Kusumastuti, Lala M. Kolopaking, and Baba Barus, "Factors Influencing the Transfer of Agricultural Land for Food in Pandeglang Regency", *Journal of Rural Sociology*, Vol. 6 No. 2, 2018, 131

¹⁶ Muhammad Ridha, "Political Economy of Infrastructure Development and Capital Interests", *Journal of Prophetic Politics*, Vol 04, No. 1, 2016. 21-27.

The consumption of Sustainable Food Agricultural Land will increase with the issuance of Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (Job Creation Law) which is considered to have an impact on the increasing activities of the conversion of rice fields in Indonesia.¹⁷ In the Job Creation Law, the conversion of the function of Sustainable Food Agricultural Land is allowed, as long as it is for the public interest and the development of National Strategic Projects (PSN), one of which is for housing development, although previously without the phrase PSN, agricultural land was widely converted.¹⁸ Based on the data and explanations above, housing development does not always realize community welfare if it sacrifices the existence of sustainable food agricultural land. This requires a balance between housing development to meet the housing needs of residents and the protection of agricultural land for environmental sustainability and food security. If agricultural land is sacrificed for housing development, food production can be disrupted, resulting in dependence on food imports and increasing the risk of food instability. Therefore, there needs to be careful and sustainable planning to ensure that housing development does not damage the ecosystem and the surrounding environment. Smart and environmentally friendly land use must be prioritized to prevent environmental degradation. In order to achieve a balance between housing development and the protection of sustainable food agricultural land, integrated planning and coordination between relevant sectors are needed, as well as a commitment to implement sustainable and pro-people policies.

Sustainable agricultural land protection as stipulated in the Sustainable Food Agricultural Land Protection Law is basically not

¹⁷ Qodriyatun, Sri Nurhayati. "Flood Disaster: Supervision and Control of Space Utilization Based on the Spatial Planning Law and the Job Creation Bill." *Aspiration: Journal of Social Issues* 11.1 (2020): 29-42.

¹⁸ Sumarja, F. X., et al. "The Problem of Sustainable Agricultural Land Protection After the Job Creation Law." *SCIENCE* 27.4 (2021): 492-503.

enough to accommodate the problem of land conversion.¹⁹ Article 44 paragraph (3) of the Sustainable Food Agricultural Land Protection Law, states that to convert an agricultural land, a strategic feasibility study must be carried out first, a plan for land conversion must be prepared, there is an exemption of rights from the owner, and replacement land must be provided.²⁰ However, until now the transfer of land functions has not stopped and will become a problem in itself, plus the regulations regarding Sustainable Food Agricultural Land Protection have been amended by the Job Creation Law.²¹ Therefore, the role of the government, both at the Central, Provincial, and Regency/City levels, is needed to issue policies to ensure Sustainable Food Agricultural Land Protection for the people in the areas directly affected by the development.

Looking at the legal facts that have occurred, in line with the conversion of Sustainable Food Agricultural Land for housing development, a policy that also ensures the availability of agricultural land is needed, one of which can be by providing a guarantee of the appointment of replacement land before the transfer of agricultural land is carried out, and the RTRW policy is implemented optimally, as well as development policies that are oriented to Sustainable Food Agricultural Land Protection or can be interpreted, Environmentally friendly development is sustainable development that optimizes the benefits of natural resources and human resources by matching human activities with the ability of natural resources to support them. Therefore, housing development, which is a community need that must be met by the government and the private sector, should remain oriented to Sustainable Food Agricultural Land Protection in carrying

¹⁹ Dian Cahyaningrum, *"Legal Protection of Food Agricultural Land from Transferring Functions to Non-Food Agriculture"*, Vol 10, No. 1 (2019): 27–48.

²⁰ Ivan Chofyan, Uton Rustan, and Asep Hariyanto, *"Efforts to Maintain Karawang Regency as a National Rice Barn"*, Journal of Research and Community Service, Vol. 4 No. 1, 2016, 150

²¹ Mita Ayu Andiyani, *The Destructive Threat of the Implementation of the Job Creation Law on Land Management in Indonesia*, <https://www.pasundanekspres.co/opini/ancaman-destruktif-penerapan-uu-omnibus-law-cipta-kerja-terhadap-pengelolaan-lahan-di-indonesia>, accessed on April 12, 2021

out development because ideally the implementation should not sacrifice the environment. Housing development programs are basically not the same as the construction of toll roads and reservoirs that can adjust and choose the right location. However, for this reason, housing development is not paid much attention which leads to a decline in Sustainable Food Agricultural Land. Therefore, it is necessary to formulate policies that become a meeting point between housing development policies, both government programs and entrepreneurs in the housing business, which will be a convergence between national development policies, especially housing, and sustainable food agricultural land protection. This is intended so that the balance and availability between housing development and food security as well as guarantees for the hudup environment are carried out side by side. This is the reason for the urgency of research related to housing development policies in relation to the protection of sustainable food agricultural land.

So that the shrinkage of agricultural land per tofu does not continue to increase and the nation's food security is fulfilled. The development of infrastructure will cause economic revival in the vicinity which will later give rise to residential areas. This can massively increase the conversion of Sustainable Food Agricultural Land. To overcome these problems, it is necessary to shift the paradigm of housing development policy from landed houses to vertical dwelling to ensure the availability of housing and protection of agricultural land. The paradigm shift in housing development policy from single-family homes to vertical dwellings has a number of strong reasons to support the availability of sustainable housing and the protection of agricultural land. Some of the main reasons include land use efficiency, environmental sustainability, increased access to housing, and increased food security. Some of the points that detail the need for this paradigm shift include vertical dwellings, such as apartments or multi-storey housing, allowing more efficient land use than landed houses. In dense cities, landed houses require a large area of land to build the same housing with the high occupancy

capacity that can be achieved with high-rise housing. In other words, vertical dwelling allows more people to live in the same area, while still maintaining a relatively small area of land used. With the increasing conversion of agricultural land to housing, especially landed houses, fertile farmland is often threatened. Shifting to vertical dwellings can help reduce pressure on farmland as it allows for more dense housing development in existing locations, such as city centers or built-up areas. Vertical dwellings are usually more sustainable in terms of energy and resource use than landed houses. Multi-storey buildings can minimize land use which can further reduce the damaging environmental impact. Vertical dwellings can help increase access to housing in urban areas, where land is limited. By building denser housing, housing prices can become more affordable for city dwellers, including low- or middle-income groups.

By keeping larger farmland from the threat of conversion to landed housing we can improve food security in the region. Productive farmland can play a role in meeting local and national food needs, reducing dependence on food imports, and maintaining food supply stability. In order to achieve this paradigm shift, wise urban planning and policies that support sustainable multi-storey housing development are needed. This also needs to be accompanied by the development of supporting infrastructure, such as good public transportation, green open spaces, and social facilities. By making these changes, we can achieve better housing availability while protecting farmland and maintaining a sustainable environment. The development of a community with a vertical dwelling paradigm is also very suitable for building in urban suburbs where many urban residents live due to the affordability of land prices. In addition, the development of vertical dwelling housing is very suitable to be placed in economic revival, such as at the entrance gate of the tola or in the midst of infrastructure development of other national strategic projects built on Sustainable Food Agricultural Land.

C. CONCLUSION

Based on the description above related to housing development policies in relation to the protection of sustainable food agricultural land, it can be concluded that the impact of the degradation of Sustainable Food Agricultural Land is a decrease in the quality of life of urban residents, vulnerability to natural disasters, and increased infrastructure and environmental care costs. Therefore, handling urban sprawl for sustainable housing development is a must. Efforts such as thoughtful urban planning, reuse of unused land, and the promotion of sustainable transportation can help reduce the negative impact of urban sprawl on Sustainable Food Farmland and support more sustainable urban development. The paradigm shift of Housing Development Policy from landed houses to Vertical Dwelling is an urgent need in the context of the preservation and restoration of the Sustainable Urban Environment. In relation to PL2B, this paradigm shift can promote resource efficiency, environmental sustainability, and improved quality of life for urban residents. However, these changes also require a rethink in urban planning, regulation, and infrastructure. Awareness and commitment from governments, developers, and communities are key in driving the shift towards sustainable vertical housing.

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