

Information from the Environment Agency regarding permitting of new cemetery developments

April 2022

What is changing?

From the 1st April 2022, any proposed new cemetery development that is considered to present significantly high environmental risk will also require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016. We consider a new development to mean a proposed new cemetery site and new extensions to sites that require planning permission authorising a change of use of land to permit burials.

We have previously communicated these changes, but unfortunately the work was put on hold due to the coronavirus pandemic. We are now in a position to be able to bring high risk cemetery developments into the permitting regime.

It is important to note that these changes are separate from the recent Defra Consultation on proposed changes to the Environmental Permitting Regulations 2016. The response to that Consultation will be published by Defra shortly.

What does this mean for me?

For the majority of cemetery owners / operators, this change will have no effect and you do not need to do anything. Existing sites requiring no ongoing mitigation measures to protect the environment do not require environmental permits. If this applies to your site, you do not need to contact us.

From 1st April, when you submit a planning application for a proposed new cemetery or to extend an existing cemetery, you will be told whether or not you also need to apply for a permit for your site. We are only requiring environmental permits for the highest risk sites.

If you developed your site during the pandemic and were told by the Environment Agency at that time that you would need to apply for a permit following the pandemic, then you now need to apply. You can apply here: [Application for an environmental permit: part B9 bespoke groundwater activity for a human cemetery - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/application-for-an-environmental-permit-part-b9-bespoke-groundwater-activity-for-a-human-cemetery).

Where to go for more information

There is updated guidance available on GOV.UK here: [Protecting groundwater from human burials - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/protecting-groundwater-from-human-burials). Similarly, advice on completing a (groundwater protection) risk assessment for your site is available on GOV.UK here: [Cemeteries and burials: groundwater risk assessments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/cemeteries-and-burials-groundwater-risk-assessments).