

Hinckley & Bosworth Borough Council
Development Services
Hinckley Hub Rugby Road
HINCKLEY
Leicestershire
LE10 0FR

Our ref: LT/2024/128528/02-L01
Your ref: 24/00248/FUL
Date: 09 October 2024

Dear Sir/Madam

**CHANGE OF USE OF ALLOTMENTS TO EXPAND BURIAL GROUND
ST PHILIP AND ST JAMES C OF E PARISH CHURCH CHURCH LANE RATBY
LEICESTER LEICESTERSHIRE LE6 0JE**

Thank you for consulting the Environment Agency on the following application.

Environment Agency Position:

We have the following comments to make on this application (24/00248/FUL) which relate to the protection of controlled waters only. Queries relating to human health should be directed to the relevant department of the Local Authority.

We have reviewed the following information in support of this application:

- 'Covering email to depth to groundwater plan'- October, 2024

The cemetery regulations state that there must be at least 1 metre clearance between the base of a grave and the top of the water table. You must make sure that you can meet this condition at all times of the year, including when groundwater levels are seasonally high. For example, after winter rainfall. To determine the groundwater levels on site the applicant must conduct groundwater investigations using intrusive methods, such as trial pits or boreholes. You should employ a competent environmental consultant to investigate groundwater levels.

However, based on the additional information provided and our local hydrogeological knowledge, we would not expect significant volumes of groundwater to be present here, and appropriate depth to groundwater is likely to be present. Therefore, we are happy to assume that there will always be at least 1m clearance from the base of the graves and the top of the water table on site and **as a result we can remove the previous objection to this planning application, as the site can be classified as a low-risk cemetery development under The Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2023.**

We would like to remind the applicant of the minimum groundwater protection requirements that they must meet at all times of the year. The applicant should ensure that the graves are not dug into standing water and if groundwater is identified, the cemetery operations should cease in order to protect the controlled waters receptors on site. The other requirements of a low environmental risk cemetery can be found here: [Low environmental risk cemeteries: exemption conditions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/low-environmental-risk-cemeteries-exemption-conditions), the applicant should ensure that these conditions are met at all times.

APPENDIX – Advice to Applicant

Operators of cemeteries should take appropriate measures to manage their sites to ensure they do not cause an unacceptable risk to groundwater quality. These measures are set out in our comments below. The local planning authority should consider whether they wish to secure specific measures through appropriate planning conditions. The development of new cemeteries in high vulnerability areas should be avoided, except where the thickness and nature of the unsaturated zone, or the impermeable formations beneath the site, protect groundwater; or where the long-term risk is mitigated by appropriate engineering methods. We recommend that reference should be made to cemetery section in the 'The Environment Agency's approach to groundwater protection' and information on the Natural Death Centre website. A hydrogeological risk assessment must be undertaken to show that there are minimal risks to the environment either at time of burial, or in the future. Reference should be made to the Environment Agency document 'Assessing the Groundwater Pollution Potential of Cemetery Developments'. Relevant best practice guidance must be followed, and the design should be appropriate for the local circumstances and should be based on-site investigation.

In principle any new cemetery or the extension of any existing cemetery must:

- be at least 250 metres from a well, borehole or spring used to supply water that is used for human consumption, or for use in dairy farms
- be at least 30 metres from any other spring or watercourse and at least 10 metres from any field drain
- have at least one metre of subsoil below the bottom of the burial pit, allowing a hole deep enough for at least one metre of soil to cover the remains
- have at least one metre of unsaturated zone (the depth to the water table) below the base of any grave. Allowance should also be made to any potential rise in the water table (at least one metre should be maintained)

If you wish to discuss any of these issues the Environment Agency can be contacted on 03708 506 506 or by enquiries@environment-agency.gov.uk.

Environment Agency guidance on 'Cemetery Developments' is set out in our *Approach to Groundwater Protection*. More information can be found here: [Low environmental risk cemeteries: exemption conditions - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/publications/low-environmental-risk-cemeteries-exemption-conditions)

NGW I 05 'The Environment Agency's approach to groundwater protection'

We would like to refer the applicant/enquirer to our groundwater position statements in '[The Environment Agency's approach to groundwater protection](http://www.gov.uk/government/publications/the-environment-agency-s-approach-to-groundwater-protection)', available from gov.uk.

This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Ground source heat pumps
- Cemetery developments
- Drainage

Yours faithfully

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Planning Advisor

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