addressed by applying the exemption conditions to only new cemeteries or new extensions because this a reasonable expectation for the planning process. Existing cemeteries should still aim to use the guidance for ‘Minimum good practice groundwater protection requirements’ on Gov.UK but it won’t be a legal requirement.

Considering these responses, the proposed approach has been reassessed and the exemption conditions will only apply to new cemetery developments (including extensions) that are granted planning permission on or after the date that the updated regulations come into force. The updated proposed amendments will therefore not affect existing cemeteries who will not need to abide by the exemption conditions to operate without a permit. Existing cemeteries should still aim to use the guidance for ‘Minimum good practice groundwater protection requirements’ on GOV.UK but it won’t be a legal requirement.

These proposals will bring in a tier of proportionate regulation for most new cemetery developments which itself can help to ‘free-up’ cemetery space for future developments by significantly reducing the regulatory and permitting costs. Groundwater quality will be protected and preserved by this proportionate regulatory approach.

Under the amended proposals, existing cemeteries won't be affected, although they will be expected to follow the current Minimum Good Practice Groundwater Protection Requirements. New cemetery developments and cemetery extensions that require planning permission on or after the date on which the updated regulations come into force will have to comply with the amended regulations. This means that they will require either a bespoke permit if they are deemed high risk, a standard rules permit if they are deemed medium risk, or no permit if they can comply with the exemption conditions and are deemed low risk.

The revised proposed amendments to the Environmental Permitting (England and Wales) Regulations 2016 will be laid before parliament as and when Parliamentary time allows.