



BURIAL AT HOME (garden burial)

There is no law against being buried in your garden however, there are some formalities that have to be complied with.

You require authorisation from the Environment Agency, whose requirements are that the burial site must be more than 10 metres from standing water and at least 50 metres from a drinking water source. The burial also has to be deep enough to dissuade wild animals from excavating the site.

The map coordinates of the site should be lodged at the local Coroners Office and a record of the burial site should be included in the title deeds.

With regard to burial of ashes or scattering of ashes there are no regulations with regard to this however, if ashes are to be scattered on land not owned by the deceased or the family of the deceased the permission of the land owner should be sought.

Many people consider garden burials but have to decide whether their family are going to stay in the property where they are going to be buried for the foreseeable future, whether the burial site can be hived off from the original dwelling to allow access if they decide to sell, and whether the fact that there is a grave in the garden will put off prospective purchasers of the property should the family decide to sell sometime in the future.

For those who decide that a burial in their garden is inappropriate there are many so called woodland burial sites or green burial sites which have become popular in the last few years. We can let you have further details of these should you so wish.

As well as the above the Environmental Health of West Dorset District Council have advised that:-

- Planning Permission may be required if there is a memorial structure.
- Any more than two internments on the same site may be construed as Change of Use for which Planning Permission is required.
- The Department of Environment restriction is that the burial should not take place in waterlogged ground.
- Where the death was as a result of an infectious disease appropriate steps should be taken.

- The top of the coffin must be at least three feet below ground level.
- The burial has to be recorded in the Burial Register.
- The Local Authority has to be advised and the Police have to be informed.
- If there is a need to move the body an Exhumation Licence is required from the Home Office.

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