

‘Archaeological interest’ is glossed (NPPF 2023, 66) as follows:

‘There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.’

Specific guidance on assessing significance and the impact of a proposal is contained in paragraphs 197 to 203:

‘197. In determining planning applications, local planning authorities should take account of:
‘a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
‘b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
‘c) the desirability of new development making a positive contribution to local character and distinctiveness.’

‘199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

‘200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional⁶⁸.

Footnote 68 extends the application of this provision considerably:

‘Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.’

‘201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- ‘a) the nature of the heritage asset prevents all reasonable uses of the site; and
- ‘b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- ‘c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- ‘d) the harm or loss is outweighed by the benefit of bringing the site back into use.

‘202. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

‘203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’

Paragraph 205 requires local planning authorities to ensure that any loss of heritage assets advances understanding, but stresses that advancing understanding is not by itself sufficient reason to permit the loss of significance: