

G U I D E

Biodiversity Net Gain: navigating the 2026 reforms.



What changes from 6 August. What applies to NSIPs from November. What to do about it now.



Inside this guide.

Biodiversity Net Gain became mandatory in England on 12 February 2024. The regime has worked in principle and struggled in practice, and the reforms landing in August and November 2026 respond to that experience: a new 0.2 hectare exemption removes an estimated half of residential

applications; the self-build exemption is removed; NSIPs come into scope from November; a brownfield exemption is under consultation. This guide sets out what has changed and how to handle BNG on your current pipeline.

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Who this is for

Housebuilders (SME and volume), developers, principal contractors, land buyers, planning consultants, ecologists, self-builders and community-led housing groups with a site in the English planning pipeline.

What BNG is and how it currently works.

BNG is a mandatory planning requirement under the Environment Act 2021, enacted in England from February 2024, requiring most development to achieve a minimum 10% net gain in biodiversity value against the pre-development baseline.

Compliance follows a defined process: ecological survey, baseline calculation using Natural England's metric, and a Biodiversity Gain Plan. Gain is delivered in a hierarchy: on-site enhancement first, off-site units next, statutory credits as a last resort, priced deliberately high. Habitats must be secured and maintained for a minimum of 30 years, the source of much of the practical difficulty.

10%

minimum biodiversity net gain required

30 years

minimum habitat maintenance period

~50%

of residential applications potentially exempted under the 0.2ha threshold

The delivery hierarchy

Each route applies only once the one above it is exhausted

01

On-site enhancement

Preferred route

02

Off-site units

Private or LA schemes

03

Statutory credits

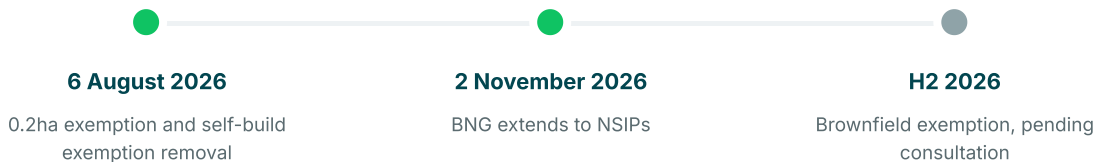
Last resort, priced high

Reformed, not removed

The 2026 reforms change who has to do what, but leave the underlying principle in place. Anyone with a site in the pipeline needs to know which side of each reform they fall on.

The three reforms coming in 2026.

THE 2026 REFORM TIMELINE



0.2ha exemption

From 6 August 2026, sites with a red-line area of 0.2 hectares or less are removed from mandatory BNG, an estimated 50% of residential applications.

Self-build exemption removed

On the same date. Most single-plot self-builds sit below 0.2ha and remain effectively exempt under the new mechanism; multi-plot custom-build above it now enters BNG.

Extension to NSIPs

From 2 November 2026, mandatory BNG applies to Development Consent Order applications for major infrastructure, under a separate Biodiversity Gain Statement framework.

Proposed brownfield exemption

A targeted exemption up to 2.5ha, under consultation through H2 2026. Not yet law; should not be assumed in current pipeline planning.

Two poles, one middle ground

Small sites are lifted out almost entirely. Large infrastructure comes in for the first time. Mid-size residential continues under broadly the same rules, with brownfield still to be resolved.

The 6 August exemption in detail.

The reform most directly affecting SME housebuilders and small residential developers.

What qualifies	The red-line application area, not the built footprint, at or below 0.2ha (2,000 sqm). A mid-sized site with a small proposed development still counts as the larger figure.
What it removes	No Biodiversity Gain Plan, no 10% uplift, no 30-year maintenance obligation. Ecological survey may still be needed for other reasons (protected species, HRA).
What it does not remove	Protected species surveys, Habitats Regulations Assessment near designated sites, nutrient neutrality, local plan green infrastructure policy all continue to apply.
Commencement detail	Applies to applications made on or after 6 August 2026. Applications already in the system continue under current rules.
The estate splitting question	Anti-avoidance provisions treat connected applications together. Splitting a 0.5ha development into three sub-0.2ha applications will not remove the obligation.

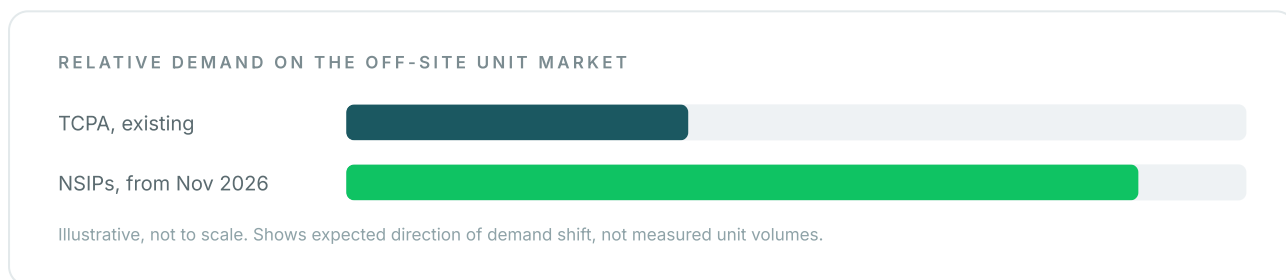
A cost saver, not a workaround

A genuine cost saver for small sites, but not a route around BNG for larger sites. Time submissions accordingly, confirm the boundary with your planning consultant, and do not attempt to split larger sites.

BNG for NSIPs from 2 November.

Extending BNG to Nationally Significant Infrastructure Projects introduces a new regime for major infrastructure.

What NSIPs are	Large-scale road, rail, energy, port, airport and water schemes governed by the Planning Act 2008, consented through Development Consent Orders, not local planning decisions.
What is different	Same 10% target, but a distinct mechanism: Biodiversity Gain Statements, separate treatment of temporary and enabling works, and a market for off-site units that has not operated at NSIP scale before.
What promoters should do	Build BNG assumptions in early, complete ecological baseline surveys ahead of any DCO application, and scope off-site delivery arrangements at the pace NSIP timescales allow.
Impact on the wider market	NSIP demand for biodiversity units is expected to be substantially larger than TCPA demand, potentially raising prices and reducing availability for other developments in the same regions.



A market event, not just a regulatory one

It will change unit pricing and availability across the whole system. Anyone reliant on off-site units should be securing arrangements ahead of the change.

The proposed brownfield exemption.

The third significant reform is not yet in force. Its outcome matters for a substantial share of urban regeneration.

The proposal	Removing or reducing BNG for brownfield residential development up to a discussed 2.5ha threshold, reflecting the very low ecological baselines typical of previously developed land.
The consultation	Outcome expected in H2 2026; implementation could follow in 2027 or later. No guarantee it proceeds in its current form, or that the threshold stays at 2.5ha.
What to assume now	Brownfield residential above 0.2ha should assume BNG applies until the proposal becomes law. Model both cases in viability where the outcome is uncertain.
Interaction with the 0.2ha rule	Brownfield at or below 0.2ha is already exempt from 6 August. If the brownfield exemption passes, most small-to-medium brownfield residential development would sit outside BNG entirely.

The reform most likely to shift behaviour

Watch the consultation outcome. Do not build pipeline decisions on the assumption it will happen; do model the sensitivity to it happening.

Practical implications for developers.

Six practical implications follow from the 2026 reforms.

- 1 **Time your submissions.** Sites at or below 0.2ha are better submitted on or after 6 August 2026.
- 2 **Reassess site boundaries.** Where the developable area is unaffected, a legitimate boundary reduction below 0.2ha removes the obligation entirely.
- 3 **Model the brownfield sensitivity.** Produce viability cases with and without the proposed exemption; the gap often affects land value negotiation.
- 4 **Secure off-site units early.** NSIP entry in November will raise prices and tighten availability in some regions.
- 5 **Update ecology relationships.** Demand shifts away from small-site surveys toward large-site and NSIP work; confirm capacity with retained ecologists.
- 6 **Build BNG into acquisition due diligence.** Model cost, deliverability and the 30-year obligation at the site acquisition stage, not as a downstream cost.

A viability variable, not a late add-on

Some sites become materially more attractive under the reforms, others materially less. Building BNG sensitivity into land buying discipline absorbs the reforms as configuration; treating it as a downstream cost means discovering it late.

The 12-month planning checklist.

Covering the four reforms and the operational actions each implies.

Sub-0.2ha sites	Time submissions on or after 6 August 2026. Confirm boundaries. Do not split larger sites.
Sites at or near 0.2ha	Reassess whether the boundary can legitimately reduce below the threshold without harming the scheme.
Self-build above 0.2ha	Model BNG obligations for the first time; engage an ecologist now if submission is planned for on or after 6 August 2026.
Brownfield 0.2 to 2.5ha	Watch the consultation. Do not assume the exemption passes; model both cases.
Off-site unit reliance	Secure arrangements before 2 November 2026 to lock in current pricing before NSIP demand enters.
NSIPs in preparation	Complete baseline surveys ahead of any DCO application. Watch for Biodiversity Gain Statement guidance.
Site acquisition due diligence	Add BNG feasibility (on-site potential, off-site availability, 30-year maintenance) to the standard checklist.

A competitive advantage, not a compliance chore

Organisations that treat this as a late compliance exercise will discover it under time pressure. Those that treat it as a site acquisition and viability variable will build an advantage over the next twelve months.

Sources and closing note.

PRIMARY SOURCES

Environment Act 2021. Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2026. Defra environmental blog, April 2026. Natural England statutory guidance. House of Commons Library briefing on environmental standards for new housing.

LEGAL AND SECTOR COMMENTARY

Pinsent Masons on BNG for NSIPs, April 2026. Crossman Ecology, Urbanist Architecture, DeVis Architecture, BioGains. Housebuilder & Developer white paper on BNG and nutrient neutrality.

Ubrix is the plot lifecycle platform for UK new-build housing, used by housebuilders, principal contractors and housing providers to run per-plot compliance and delivery from reservation to end of defects. Our customers are making pipeline decisions right now that depend on the BNG reforms landing this quarter, and plain-English analysis of what actually changes has been thin on the ground. If that is relevant, we are at ubrix.co.uk. If not, take what is useful and leave the rest.

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