

The M25 (Northeast) Residents' Association  
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Horseman Side  
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CM14 5ST

Emma Goodings  
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By email and for hand delivery: [emma.goodings@brentwood.gov.uk](mailto:emma.goodings@brentwood.gov.uk)

16 February 2026

Dear Ms Goodings

**24/00874/OUT | Outline planning application (access to be determined, all other matters reserved)  
Dual-site Motorway Service Areas | Land At Priors Golf Course & Hill Farm CM14 5ST**

I am writing to you on behalf of the M25 (Northeast) Residents' Association. The Association has more than 350 members. Half live in the Borough of Brentwood. The rest live in the London Borough of Havering.

I am also writing to you because Michael Doyle has not answered our recent correspondence; and we are concerned that he might not have had the time, or a reasonable opportunity, to consider our representations in the detail that we think they deserve.

**Key Facts**

As you may know:

- (i) On **23 July 2024**, Moto Hospitality Limited (**Moto**) asked Brentwood Brough Council (**BBC**) for a planning permission which, if granted, would allow it to build 2 motorway service areas (**MSAs**) near junction 28 on the M25;
- (ii) The application is for **access to be determined**, with **all other matters reserved**;
- (iii) The application was made, notwithstanding the fact that, by **8 May 2024** (*at the latest*), BBC's planners had told Moto that its application would not be supported because MSAs are **necessarily 'inappropriate development' in, 'and by definition, harmful to' the Green Belt**, *unless* they are justified by 'very special circumstances' - and there are no 'very special circumstances' in this case;
- (iv) (As we have already pointed out), if Moto's application is granted, it would put 400 FTE jobs into 2 unsustainable locations, in a way that is also inconsistent with national planning policy;
- (v) (As National Highways (**NH**) has said, on at least 7 occasions so far):<sup>1</sup> (a) these MSAs could have 'a significant impact on the free flow and safety of traffic using the motorway;' and (b) NH cannot yet (*and might never*) be 'satisfied that [Moto's] slip road design is compliant with [the Design Manual for Roads and Bridges] and will have no adverse impacts on the safe and efficient operation of the [strategic road network (**SRN**)]';
- (vi) On 5 February 2026, NH told us that it has reached the stage where '*enough, but not all, of the comments on [its] issue Tracker have been closed*' for it to proceed to the next stage of its process: to check '*the proposals don't pose any unacceptable safety risks to road users or workers.*' In the

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<sup>1</sup> (i) September 2024; (ii) December 2024; (iii) February 2025; (iv) May 2025; (v) August 2025; (vi) October 2025; and (vii) November 2025

circumstances, NH ‘*anticipate[s]*’ that it will be able to give you its ‘*final response on MOTO’s MSA proposals*’ by August 2026 – although this timeline cannot be guaranteed;

- (vii) Separately, NH has lodged a standing objection to these MSAs with BBC; and that objection makes it clear that BBC may refuse Moto’s application (if it wishes to do so). But, the application cannot be granted, unless and until NHs’ concerns have been addressed (if that is even possible).

### **What (if anything) can BBC do?**

BBC seems to have three options. It could:

- (i) Wait for Moto and NH to complete their work, and then:
  - a. (if NHs’ final position is that the MSAs cannot be safely connected to the M25), refuse Moto’s application; or
  - b. (if Moto eventually overcomes NHs’ concerns) (1) refuse the application; or (2) tell the Secretary of State that it is minded to grant it, before waiting to see if the application is called in;
- (ii) Refuse the application now.

We have been told that BBC is waiting for Moto and NH to finish their work because it considers that its legal, appeal, and costs risks will be lower if it waits, than if it chooses to determine the application now.

### **BBC’s current risk profile**

BBC would incur little or no risk if (i) it waited for Moto and NH to finish their work; (ii) NHs’ final position is that the proposed MSAs cannot be safely connected to the M25; and (iii) in the circumstances, BBC refused the application.

In our view, BBC would also incur little or no risk if it refused Moto’s application now, because:

- (i) The risk of a successful judicial review would be very low. This is because:
  - a. BBC would be acting reasonably (in a *Wednesbury reasonableness* sense) if it followed the advice that NH has given it on at least 7 occasions (so far) - i.e., the application can be refused at any time, but it cannot be granted yet (if it can be granted at all);
  - b. BBC would be acting in a way that was consistent with the requirements of natural justice if it treated Moto this applicant in the way that we anticipate it treats every other applicant – i.e., we anticipate that, in every other case, BBC would expect the applicant to submit an application that is capable of being decided immediately; and, if the applicant failed to do that, BBC would expect the applicant to complete or withdraw the application within a reasonable period of time – a period that would almost certainly be (1) far less than the 19 months Moto has been given so far; and (2) far less than the 25 months that are likely to have expired before NH can give BBC its final advice;
- (ii) The risk of a successful appeal would also be very low. This is because, on appeal, Moto would have to defend the application that BBC refused – not the application which the refused application will eventually become. In its present state, Moto’s application is not capable of being granted, *or delivered*. (See, for example, (a) *Bernard Wheatcroft Ltd v SSE* [JPL 1982 P37]; and (b) *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823.)

In addition, *if* Moto eventually overcomes NHs’ concerns, the quickest, most cost effective, and surest route to the possible grant of the permission Moto needs before it can build its MSAs would be to submit a fresh application. Moto would only waste time and money, and incur unnecessary risk, if it tried to judicially review, and/or appeal against, BBC’s decision to refuse the current application in its current state. So, what would be the point? This is especially so because, when the proposed slip road / access arrangements are settled, they will be so different to the arrangements included in the original application that a new application and EIS will be required in any event. (The application is for access to be determined, with all other matters reserved. The proposed access arrangements have already been changed; *and* they are in the process of being changed again.)

### **The advantages of refusing the application now**

If BBC refused Moto's current application, it would take control of the application process. BBC would also avoid the procedural risks that have been 'baked into' the current application – a set of risks that might well crystallise, if the current application is determined and granted later. These risks exist because, in our view, (and for example):

- (i) Moto's Environmental Impact Statement (**EIS**) is based on a set of slip road proposals that NH will not accept, and Moto is in the process of changing (again);
- (ii) NH asked for traffic and transport to be *scoped into* the Environmental Impact Assessment and, despite this, they were *scoped out*;
- (iii) The EIS did not clearly quantify and transparently describe the fully developed area associated with the proposed MSAs;
- (iv) (As BBC is aware), some of the key application documents, and some of the key 2025 NHs' advices, are still not available on BBC's website. We were told, several months ago, that this was the result of an IT-systems glitch that was being investigated and would shortly be resolved. As the documents are still missing, we assume the glitch is still there, and we wonder whether there are any other 'missing' documents that we (and other consultees) are not aware of;
- (v) Although the application has been amended several times, BBC has not reconsulted, and has no plans to do so.

### **Next steps**

I will be adding a copy of this letter to the Association's website, and sending it to our members.

I am also copying it to (a) the BBC Councillors for the Brizes, Stondon Massey, and South Weald ward; and (b) the London Borough of Havering Councillors for the Gooshays ward. (The Gooshays ward is immediately adjacent to the proposed MSAs. If the proposed MSAs are built, it seems likely that 2 of the 4 proposed slip roads will be in that ward.)

We will look forward to hearing from you, when you have had an opportunity to consider the issues raised in this letter. I will publish and share your reply on the same basis.

Yours sincerely



Chris Finney  
For and on behalf of  
The M25 (Northeast) Residents' Association