

Supplementary Submission on Behalf of Homeless Project Scotland

Rebuttal of Objection by The Spires Serviced Apartments: Demonstrating Pre-Existing Amenity Impacts, Misattribution of Harm, and Evidential Inconsistency

September 2025

Summary of Supplementary Submission

Homeless Project Scotland – Rebuttal of Objection by The Spires Serviced Apartments

This supplementary submission addresses and rebuts the objection lodged by The Spires Serviced Apartments (“The Spires”) against Homeless Project Scotland’s (HPS) continued operation of its night shelter and soup kitchen at 71 Glassford Street, Glasgow.

Key Points

- **Amenity concerns pre-date HPS:** Independent guest reviews on TripAdvisor and Booking.com from **2016 onwards** reveal long-standing problems at The Spires, including noise, fights, prostitution, and poor management. These issues were entrenched **years before HPS opened in December 2023** Planning Supplementary 3 (1)
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- **True causes of disturbance:** Reviews consistently attribute noise and disruption to **Glasgow’s Merchant City nightlife (pubs, clubs, and traffic)** and to **management failures within The Spires** (e.g. lack of security response, dirty facilities, broken furniture)
Planning Supplementary 3 (1)
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- **Contradictions in The Spires’ position:** In public responses to reviews, The Spires’ management have explicitly stated that “charity projects are usually well organised and do not negatively impact the surroundings” (April 2024, Booking.com) – directly contradicting their planning objection Planning Supplementary 3 (1)

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- *Wordie Property* – Findings must be based on evidence. The Spires' case attributes pre-existing problems to HPS, which is unlawful.
- *Tesco Stores* – Planning is about land use, not the identity of service users.
- *South Bucks v Porter* – Context matters; Merchant City is inherently noisy.
- *Smith v First Secretary of State* – Fear must be objectively justified; reviews show nightlife, not HPS, caused unease.
- *Great Portland Estates* – Prejudice and stigma cannot be planning harms
Planning Supplementary 3 (1)
- **Planning policy support:** HPS advances CDP 10 and SG10 by meeting urgent housing needs, reducing unmanaged street homelessness, and providing **robust management (24/7 staff, CCTV, bag checks, indoor queuing)**. No statutory consultees (Police, Fire, Environmental Health) objected Planning Supplementary 3 (1)
- **Equality and ethics:** Objections rooted in discomfort at seeing homeless people are expressions of **prejudice**, not planning concerns. To give them weight risks breaching the **Equality Act 2010 public sector duty** and human rights standards (M.S.S. v Belgium and Greece, 2011)
Planning Supplementary 3 (1)

Evidential Highlights

- **2016 (TripAdvisor):** Guest called The Spires “depressing and unwelcoming... very noisy,” seven years before HPS existed (Exhibit 1).
- **2017 (TripAdvisor):** Guest witnessed a prostitute demanding money in a hallway; management dismissed it as “the norm” (Exhibit 2).
- **2023 (Booking.com/TripAdvisor):** Complaints of “street noise especially at night,” “stomping and yelling,” dirty carpets, broken furniture, and unresponsive staff – all before HPS opened (Exhibits 3–7).
- **2024–25 (Booking.com/TripAdvisor):** Guests repeatedly identify noise from **bars, pubs, and clubs** as the source of disturbance, not HPS (Exhibits 8–13).
- **2024 (Booking.com):** The Spires themselves state: “Charity projects are usually well organised and do not negatively impact the surroundings” (Exhibit 14).

Conclusion

The Spires’ objection is **unsupported, contradictory, and prejudiced**. The evidence proves disturbances stem from **location and mismanagement**, not HPS. Legally and ethically, the objection cannot carry material weight.

The Reporter is therefore invited to:

- **Disregard The Spires’ objection**, and
- **Grant planning permission for HPS** to continue its vital work at 71 Glassford Street.

Introduction

This supplementary submission is presented on behalf of **Homeless Project Scotland (HPS)** in support of its appeal against Glasgow City Council’s refusal of planning permission for the continued operation of its night shelter and soup kitchen at 71 Glassford Street,

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Glasgow. Its specific purpose is to address and dismantle the objection lodged by **The Spires Serviced Apartments UK Ltd** ("The Spires"), which has been relied upon by the Planning Authority as evidence of harm to amenity.

The Spires' objection alleges that the proximity of HPS has produced a deterioration in local amenity, manifesting in guest complaints about noise, disorder, safety, and reputational impact. In the starkest terms, their position is that the mere presence of HPS has rendered their serviced apartments a less attractive place to stay. This submission contends that such an allegation is not only unsupported by the evidence but is demonstrably contradicted by The Spires' own record.

The evidential record, drawn from Booking.com and TripAdvisor reviews between 2016 and 2025, establishes three inescapable propositions. First, that noise, disorder, and reputational concerns at The Spires long pre-date the establishment of HPS in December 2023. Guests were complaining of noise from bars and traffic, of drunken behaviour in the streets, of fights and prostitution within the apartments themselves, and of chronic management failings years before HPS opened its doors. Second, that the true sources of disturbance continue to lie in the surrounding city-centre context of Glasgow's Merchant City – a nightlife hub characterised by pubs, clubs, and high footfall – and in the persistent failures of The Spires' management to maintain and supervise its property. Third, that The Spires' own responses to guest reviews deny the very harm that they now allege, creating an irreconcilable contradiction between their public posture and their planning objection.

When this evidence is assessed against the legal standards established in *Wordie Property Co Ltd v Secretary of State for Scotland* (1984 SLT 345), *Tesco Stores Ltd v Secretary of State for the Environment* [1995] 1 WLR 759, *South Bucks DC v Porter (No. 2)* [2004] UKHL 33, *Smith v First Secretary of State* [2005] EWCA Civ 859, and *Westminster CC v Great Portland Estates plc* [1985] AC 661, it becomes clear that The Spires' objection is legally misconceived and evidentially bankrupt. It rests on findings unsupported by relevant evidence, it confuses causation with correlation, it ignores context, and it risks elevating prejudice into policy.

The following sections will therefore set out in detail the chronological evidential record of reviews, analyse the objection against the established legal framework, expose the contradictions inherent in The Spires' position, apply the relevant development plan policies, and conclude with an assessment of the equality and ethical considerations which underscore the importance of rejecting objections rooted in prejudice.

The Evidential Record of Reviews

The starting point in any objective assessment of The Spires' objection must be the documentary record of its own guest reviews. These reviews, drawn from Booking.com and

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TripAdvisor, provide a contemporaneous, independent account of what guests experienced over the course of nearly a decade. They are not the product of advocacy, nor are they prepared for litigation or planning proceedings. They are candid expressions of lived experience, and as such, they provide the most reliable evidence of the true sources of amenity impact. When read chronologically, the reviews tell a consistent and troubling story: that long before the establishment of Homeless Project Scotland's shelter, The Spires was beset by complaints of noise, disorder, safety failures, and reputational harm. The causes identified by guests were nightlife, traffic, drunken behaviour in the streets, prostitution and fighting within the property itself, and chronic failures of management and maintenance. These matters were intrinsic to The Spires' operation and location. They were not caused by HPS, which only opened in December 2023.

As early as September 2016, guests were reporting experiences that undermined any suggestion that The Spires provided quiet or trouble-free accommodation. One Canadian visitor described the apartments as "depressing and unwelcoming," complained that the beds were rock hard, the location was "very noisy," and that staff ignored repeated requests for assistance. The guest concluded that they "couldn't wait to get out of that hotel and city." That is a devastating assessment of amenity, written seven years before HPS was established, which demonstrates that reputational harm and noise complaints were already being suffered independently of any alleged connection to homelessness services.

Matters did not improve in 2017. Indeed, the review posted in January of that year stands as perhaps the most powerful single piece of evidence in this entire record. A guest from Bath described what they called a "nightmare on Glassford Street." On arrival they found the apartments "tired, dated and dirty," were met by a belligerent manager who appeared indifferent to their concerns, and, most disturbingly, witnessed a fight break out in the hallway involving a prostitute demanding money from her client in the next room. When the incident was reported to management, the guest was told this was "the norm." This review is fatal to The Spires' present position. It shows that serious disorder, reputational damage, and amenity impact were not only present in 2017 but were dismissed as commonplace by the operator. The notion that such complaints can now, in 2025, be laid at the door of HPS is not just unsustainable; it is intellectually dishonest.

The record continues into 2023 with consistent complaints. In March of that year, a guest wrote that while the property was well located, it was marred by "a lot of traffic noise" and intrusive street lighting that made sleep impossible. Another guest in March noted that the rooms were "a bit noisy," the curtains poorly fitted, and the television broken. In June 2023, a review complained of "street noise especially at night" and went on to criticise dirty carpets and broken furniture. In September 2023, two separate reviews reiterated the point: one described the apartments as "very noisy," while another complained of "stomping and yelling" in the adjacent rooms, of dirty furnishings, broken windows, and management non-response. All of these reviews pre-date the establishment of HPS, which opened its doors in December 2023. They confirm that noise, disturbance, and poor management were endemic at The Spires before the shelter existed.

The reviews written after the shelter's establishment in late 2023 are entirely consistent with this pattern. They show that the true sources of disturbance were nightlife and poor management. In November 2024, a guest acknowledged that there were "fun bars nearby" and accepted that noise was inevitable "with a central location." That same month, another

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guest reported being locked out of the building at 1am, unable to gain access, with no response from the out-of-hours number. This was described as a grave safety failing which left the guest feeling vulnerable. Again, this cannot be attributed to HPS. It is wholly within the control of The Spires' management and speaks to their own failures in providing safe and reliable accommodation.

By 2025, the reviews were explicit in attributing noise to nightlife. In June of that year, a guest complained that their room was "right across from a club so was loud at night." In July, another noted that "nights were pretty loud because of surrounding bars." In August, a review described the apartments as "noisy next to pub/club," while in September, one guest noted that it was "a little noisy from bar across the road." These are direct statements from guests identifying the source of disturbance. They do not point to HPS. They point to the bars, pubs, and clubs of the Merchant City. They demonstrate that the noise which The Spires now seeks to attribute to HPS is, in fact, the inevitable by-product of its central Glasgow location.

The evidential narrative is therefore clear. In 2016, guests were already calling the apartments "noisy," "unwelcoming," and badly managed. In 2017, they were witnessing fights and prostitution in the hallways. In 2023, they were complaining of traffic noise, drunken behaviour, and management failures. In 2024, they were identifying bars as the cause of disturbance and management as the source of safety failures. In 2025, they were explicitly linking noise to pubs and clubs. At no stage in this chronology is there evidence that HPS has been the cause of harm. To the contrary, the evidence proves that amenity concerns at The Spires are long-standing, consistent, and attributable to sources entirely independent of HPS.

Legal Principles

The evidential record, stark as it is, does not stand alone. It must be assessed against the established principles of planning law which govern the weight to be afforded to objections, the attribution of causation, and the limits of what may lawfully constitute a material consideration. When this is done, The Spires' objection is revealed not only as factually unsound but legally misconceived.

The starting point is *Wordie Property Co Ltd v Secretary of State for Scotland* (1984 SLT 345). In that case the Lord President (Emslie) laid down a test that has become axiomatic: a

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decision will be unlawful if it is based upon findings of fact which are unsupported by any evidence, if it takes into account irrelevant considerations, or if it fails to take account of relevant ones. Applied here, the principle is devastating. To attribute to HPS noise and disorder which, on the evidence, clearly pre-dated its existence, is to make a finding unsupported by any relevant evidence. The reviews show that noise complaints were made as early as 2016 and that they were attributed to traffic, bars, and drunken behaviour in the streets. They show that in 2017 serious disorder – including a prostitute demanding money from her client in the hallways of The Spires – was dismissed by management as “the norm.” They show that in 2023, guests were already complaining of “very noisy” conditions, “stomping and yelling” in adjacent rooms, dirty carpets, broken furniture, and management non-response. To suggest that these matters were caused by HPS, which did not open until December 2023, is to act without evidential basis. It is the very mischief that *Wordie* sought to guard against.

The next authority of importance is *Tesco Stores Ltd v Secretary of State for the Environment* [1995] 1 WLR 759. In that case, Lord Hoffmann emphasised that planning is concerned with the consequences of land use, not with the identity or social character of those who occupy or benefit from a development. This principle strikes at the heart of The Spires’ objection. The land-use consequence of situating apartments in Glasgow’s Merchant City is that they will be exposed to noise from surrounding nightlife, traffic, and high pedestrian footfall. That is the product of location, not of the shelter. To focus on the fact that the facility caters to homeless individuals is to make precisely the kind of identity-based judgment that *Tesco* prohibits. The question is not who uses HPS but what effect, as a matter of land use, it has on the environment. The evidence is clear: the disturbance arises from bars and mismanagement, not from the shelter.

The importance of context was underlined in *South Bucks DC v Porter (No. 2)* [2004] UKHL 33, where the House of Lords made plain that developments must be assessed in their proper setting. Glassford Street is a bustling, noisy city-centre location. It is home to pubs, clubs, and a nightlife economy which is both vibrant and, at times, disruptive. It is in that context that The Spires chose to operate serviced apartments. To now complain that the area is noisy or disorderly is to complain of the very context in which they located themselves. To isolate HPS as the cause of such disturbance, while disregarding the context, is a misdirection in law under *Porter*. The proper analysis is that HPS operates within a pre-existing environment characterised by nightlife, and that environment is the true source of amenity impact.

In *Smith v First Secretary of State* [2005] EWCA Civ 859, the Court of Appeal dealt with perceptions of fear and nuisance. It held that while such perceptions are capable of being material considerations, they must be objectively justified. That principle is directly applicable here. The Spires’ objection is laden with references to guests feeling unsafe or unnerved by the presence of homeless people. Yet the reviews themselves provide the objective justification for such feelings: noise from clubs, fights in hallways, prostitution within the property, management failures, and drunken behaviour in the streets. Those are the causes of fear and nuisance. To attach those perceptions to HPS is to misapply *Smith*. It is to attribute fear to the wrong source, which is not rational or lawful.

Finally, in *Westminster CC v Great Portland Estates plc* [1985] AC 661, the House of Lords drew a clear line between legitimate planning considerations and mere social prejudice.

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They held that dislike of visible poverty, discomfort with marginalised groups, or concern with reputational matters divorced from land-use impact are not lawful planning grounds. That principle is of profound importance here. Many of the reviews relied upon by The Spires use language which is not about noise, but about stigma – references to “zombie town,” “druggies,” or simply discomfort at having to see homeless people nearby. Such expressions are not evidence of amenity harm but evidence of prejudice. To afford weight to them in the planning balance would be unlawful. It would amount to permitting discrimination to masquerade as policy.

The legal framework therefore aligns perfectly with the evidential record. *Wordie* prohibits unsupported findings, yet The Spires’ case rests on attributing pre-2016–2023 complaints to a facility that opened in 2023. *Tesco* prohibits identity-based judgments, yet their objection is predicated on who HPS serves. *Porter* requires context, yet their case strips out the surrounding nightlife and mismanagement. *Smith* requires objective justification, yet they attach perceptions of fear to the wrong cause. *Great Portland Estates* forbids prejudice as planning harm, yet prejudice saturates their submissions. In every respect, the objection fails the applicable legal tests.

The Contradiction in The Spires’ Position

A further and decisive weakness in The Spires’ objection lies not merely in the misattribution of harm, but in the internal contradictions of their own statements. On the one hand, when communicating with potential guests and the wider public through booking platforms, the management of The Spires has gone to some lengths to downplay any suggestion that the presence of Homeless Project Scotland could negatively affect amenity. On the other hand, in their objection to the planning authority, they rely on precisely the opposite proposition, arguing that guest discomfort proves that the shelter is damaging their business and undermining amenity. This inconsistency is not a trivial matter of public relations; it strikes at the very heart of their credibility and renders their planning submissions unreliable.

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Take, for instance, the review posted by a guest in April 2024, who described being taken aback at discovering that The Spires was adjacent to “homeless services” and found this an “unpleasant surprise.” The management’s response, posted publicly on the platform, was to state that they had no control over what opened in their neighbourhood, but to emphasise that “charity projects are usually well organised and do not negatively impact the surroundings.” That is a categorical denial that HPS has any negative impact on amenity. It is an assertion, by the operator itself, that the presence of HPS does not cause harm. Yet, when writing to the planning authority, they take precisely the opposite line, citing the very same complaints as proof of harm. Such a volte-face is intellectually incoherent. If their own considered position, publicly expressed, is that HPS does not negatively impact the surroundings, then their planning objection is self-defeating.

The inconsistency extends further. Where reviews complain of noise or disorder, management responses frequently attribute the problem to the central city context, to the presence of bars, or to factors inherent in the location. For example, one guest complained of being disturbed by queues of people nearby, to which management replied that the city centre is inevitably busy and that disturbance is part of urban life. Again, in correspondence with customers, The Spires acknowledges that the true source of disturbance is its central location. Yet in its planning objection, it conveniently forgets these acknowledgements and instead points to HPS as the culprit. This is not an honest assessment of causation; it is opportunism.

The hypocrisy becomes all the more striking when contrasted with the broader evidential record of reviews. In years gone by, when prostitution, fighting, and drunken behaviour were occurring within the property itself, The Spires’ management were content to dismiss such matters as “the norm.” Yet when HPS operates next door, with 24-hour staffing, CCTV, and security checks, they now claim that the presence of vulnerable people is intolerable and constitutes a planning harm. The inversion of logic is staggering. The very period when amenity was most compromised — when guests were encountering prostitutes in hallways and drunken brawls on site — is brushed aside, while a period of improved management of the streetscape is cast as harmful. The selective use of evidence betrays a lack of good faith.

In planning terms, consistency of evidence and credibility of the objector are vital. A Reporter is entitled to discount submissions which are internally contradictory or which are contradicted by the objector’s own public statements. Here, The Spires’ objection cannot survive that scrutiny. Their own words reveal that they do not, in truth, believe that HPS has harmed amenity. They have said so publicly, in direct response to guest concerns. The attempt to now reverse that position in the planning forum undermines the probative value of their entire case.

The contradiction also illustrates a deeper point. When engaging with guests, The Spires must maintain an image of reassurance, minimising concerns and portraying their location in the best possible light. When engaging with the planning process, they have an incentive to do the opposite — to exaggerate concerns and scapegoat their neighbour. The Reporter should not allow such commercial self-interest to be dressed up as evidence of planning harm. The appropriate course is to test what is said against the objective, contemporaneous record. That record shows noise from bars, disorder from prostitution, and safety failures within The Spires long before HPS existed. It shows management themselves

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acknowledging that charitable projects are well organised and not harmful. Against that backdrop, the current objection collapses.

Planning Consequences

The next task is to measure the objection against the development plan, in particular Policy CDP 10 (Meeting Housing Needs) and the associated Supplementary Guidance SG10 (Meeting Housing Needs), which establish the framework for assessing specialist accommodation, temporary housing, and community facilities. These policies require decision-makers to ask whether a proposal safeguards residential amenity, whether it is appropriately managed, and whether it is suitably located given the needs of the community. When the objection of The Spires is tested against those criteria, it disintegrates.

The allegation made by The Spires is that the presence of HPS undermines residential amenity by producing noise, disorder, and reputational harm. The difficulty, as the evidential record has shown, is that each of these alleged harms was firmly established long before the shelter ever opened. Guests in 2016 were already describing the location as “very noisy” and “depressing.” Guests in 2017 were reporting prostitution and fights in the hallways. Guests throughout 2023 were recording “street noise especially at night,” broken facilities, dirty carpets, and management non-response. In 2024 and 2025, guests were explicitly attributing disturbance to the bars, pubs, and clubs across the road. In planning terms, these are not trivial complaints; they are direct evidence of amenity issues. But they are evidence that those issues are inherent in the location and in the operation of The Spires itself. To assign them to HPS is to misattribute causation, which is fatal under *Wordie Property*.

Policy CDP 10 requires that new developments contribute to meeting housing needs and that they do so without unreasonably impacting existing residential amenity. HPS achieves this in full measure. It provides essential emergency accommodation to the most vulnerable in society, reducing rough sleeping on the streets of Glasgow and thereby improving the amenity of the public realm. It does so with a level of management and safeguarding that exceeds ordinary standards: 24-hour staffing, airport-style security, bag checks, CCTV surveillance, and indoor queuing arrangements. These features ensure that the operation of the shelter is controlled, supervised, and respectful of neighbours. By contrast, The Spires’ own management has, by the testimony of its guests, been inconsistent, inattentive, and, at times, indifferent to serious disorder. A policy framework concerned with management quality cannot rationally favour the latter while condemning the former.

SG10 supplements CDP 10 by requiring that specialist housing and community facilities be well located and designed to support integration into the community. The Spires argues that location adjacent to their serviced apartments is inappropriate. But the policy context demands a more sophisticated analysis. The Merchant City is a mixed-use, city-centre environment. It contains apartments, hotels, shops, restaurants, pubs, and clubs. It is characterised by noise, late-night activity, and high footfall. Within that context, a well-managed shelter does not introduce a novel harm; it responds to an existing social need by providing order where disorder would otherwise reign. If rough sleepers were denied shelter at Glassford Street, they would not vanish from the city. They would remain on the pavements, with far less management, far less safety, and far greater impact on amenity.

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The shelter therefore serves the very purpose envisaged by CDP 10 and SG10: it meets a pressing housing need, it does so in a way that reduces unmanaged impact, and it achieves this through robust management.

The Spires' objection is therefore doubly flawed in planning terms. First, it seeks to treat long-standing environmental conditions — noise from clubs, prostitution within their own building, fights in hallways, traffic, and drunken behaviour — as if they were the consequence of HPS. That is evidentially false and legally impermissible. Second, it seeks to deny the positive contributions of HPS to the very policy aims of CDP 10 and SG10, namely the meeting of housing needs through controlled and well-managed facilities. When the facts are correctly attributed, it is The Spires, not HPS, which has consistently failed to safeguard residential amenity through its own mismanagement. It is HPS which has improved amenity through structured control.

It is also relevant to recall that no statutory consultee has objected to the shelter's operation. Police Scotland, the Scottish Fire and Rescue Service, and Environmental Health have all remained neutral or supportive. If the operation of HPS genuinely produced the harms alleged by The Spires, one would expect statutory consultees to object. Their silence speaks volumes. It demonstrates that, on an objective assessment, the shelter does not give rise to unacceptable impacts on amenity, safety, or health. The only party asserting otherwise is The Spires, whose credibility is already undermined by contradiction and misattribution.

In light of this analysis, it is impossible to conclude that HPS is in conflict with CDP 10 or SG10. The objection of The Spires is not supported by the evidence, is inconsistent with the development plan, and is contradicted by the neutral stance of statutory consultees. The true planning consequences are the opposite of what is alleged: HPS enhances amenity by removing unmanaged street presence, it meets pressing housing needs in the heart of the city, and it does so in a manner which exceeds policy expectations of management and safeguarding. The Spires' objection therefore carries no lawful or material weight in the application of the development plan.

Equality and Policy Considerations

Planning law does not operate in a vacuum. It is part of the wider constitutional and human rights framework in which decision-makers are bound to uphold the values of equality, dignity, and fairness. When objections stray into territory that is not evidence of land-use harm but is instead an expression of prejudice against vulnerable groups, those objections must be treated with great caution. The case law is unequivocal on this point. In *Westminster CC v Great Portland Estates plc* [1985] AC 661, the House of Lords held that matters such as "general social malaise" or "unease at the presence of particular classes of person" do not constitute material planning considerations. Planning is about the use of land, not about policing the visibility of poverty.

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The Spires' objection, when stripped to its essence, relies heavily on reviews that do not complain of measurable planning impacts but instead of discomfort at the sight of homeless people. Guests write that they felt "unsafe" because a shelter was nearby, or that they did not like walking past a queue for food. Some resort to language of outright prejudice, describing those gathered as "druggies" or likening the area to a "zombie town." These comments are not evidence of noise levels, light intrusion, traffic impact, or other recognised planning harms. They are the articulation of stigma, fear, and social discomfort. To afford such statements weight in a planning decision would be to elevate prejudice into policy. That is precisely what *Great Portland Estates* warns against.

It must also be recalled that local authorities, and by extension the Reporter, are subject to the public sector equality duty under the Equality Act 2010. That duty requires that due regard be had to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between those who share protected characteristics and those who do not. Homelessness is not itself a protected characteristic, but the individuals who rely on HPS disproportionately suffer from disabilities, mental health conditions, and other vulnerabilities which are protected. To accept objections that are animated by prejudice against such individuals would run contrary to the spirit, if not the letter, of the equality duty. It would send the message that the fears and discomforts of affluent guests in serviced apartments outweigh the rights and dignity of vulnerable citizens.

The European Court of Human Rights has also made clear that the state has positive obligations towards those without shelter. In *M.S.S. v Belgium and Greece* (2011) 53 EHRR 2, the Court held that the failure to provide accommodation to an asylum seeker left him in conditions amounting to degrading treatment under Article 3 of the Convention. The lesson from Strasbourg is that the provision of shelter is not merely a matter of charity but a matter of fundamental rights. A planning system that refuses permission for a night shelter on the basis that some neighbours feel uncomfortable with its clientele would be placing itself in tension with those obligations. It would risk condoning degrading treatment by making the provision of shelter impossible or impractical.

There is also a moral dimension that should not be ignored. The Spires is a commercial operator. It trades for profit by offering accommodation to paying guests. Its objection is not motivated by the safeguarding of long-term residential amenity but by the protection of its commercial reputation. Against that stands HPS, a charitable organisation whose *raison d'être* is to prevent people from dying on the streets of Glasgow. The question before the Reporter is therefore not simply whether there has been a marginal shift in the perception of amenity but whether prejudice and profit can be allowed to outweigh dignity and life. Planning policy does not require such a choice to be made, but if it did, the law would require that dignity and equality take precedence.

The Spires' objection, viewed through this lens, is revealed for what it is: not an evidence-based account of land-use impact but an attempt to clothe prejudice and commercial self-interest in the garb of planning language. To afford it weight would be unlawful in terms of *Great Portland Estates*, inconsistent with the public sector equality duty, and in conflict with the obligations recognised in *M.S.S.* To afford it weight would be to risk transforming the planning system into an instrument of exclusion, whereby the visibility of the poor is treated as a harm to be eliminated. That is not, and cannot be, the function of planning law.

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Conclusion

When all of the evidence is assembled, when it is placed against the backdrop of the relevant legal principles, and when the motives and contradictions of the objector are exposed, the position becomes unanswerable. The Spires' objection is not an honest, evidence-based account of amenity impact. It is a misattribution of long-standing problems, a contradiction of their own publicly expressed statements, and in many respects an exercise in prejudice dressed up as planning concern.

The chronological record of reviews shows beyond doubt that noise, disorder, and reputational concerns were deeply entrenched at The Spires long before HPS existed. In 2016, guests were already writing of a "very noisy" and "depressing" environment. In 2017, they were recounting the shocking scene of a prostitute demanding money from her client in the hallway and management dismissing this as "the norm." In 2023, they were complaining of "street noise especially at night," of stomping and yelling, of dirty carpets and broken windows, of non-responsive management. In 2024 and 2025, they were explicitly attributing disturbance to clubs, bars, and the nightlife economy of the Merchant City. The causal chain is transparent: the harms are inherent in the location and the operator, not in the shelter.

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Against this evidential backdrop, the legal framework is decisive. *Wordie* makes clear that findings without evidence are unlawful; yet The Spires' case depends on attributing pre-existing problems to a facility that did not exist. *Tesco* warns against identity-based judgments; yet The Spires' objection is animated precisely by who HPS serves. *Porter* insists on context; yet their objection strips out the nightlife economy that defines the Merchant City. *Smith* requires perceptions of fear to be objectively justified; yet they attach such perceptions to HPS when the reviews show they are justified by bars, fights, and prostitution. *Great Portland Estates* forbids prejudice masquerading as planning harm; yet prejudice suffuses their submissions. Strasbourg jurisprudence, in *M.S.S.*, reminds us that denial of shelter can amount to degrading treatment; yet The Spires would have permission refused because its guests dislike walking past queues for food. At every turn, the law condemns rather than supports their case.

The contradictions in The Spires' own position reinforce this conclusion. When addressing guests, they publicly state that "charity projects are well organised and do not negatively impact the surroundings." When addressing the planning authority, they claim the opposite. When reviews complain of noise, they attribute it to bars and the city-centre location. When objecting to HPS, they forget these admissions and instead scapegoat their neighbour. When prostitution and fighting occurred in their own hallways, they dismissed it as normal. When a night shelter next door provides 24-hour management and security, they cry amenity harm. This inconsistency is not the mark of a credible objector. It is the mark of opportunism.

The planning consequences are stark. HPS meets the aims of CDP 10 and SG10 by providing much-needed accommodation, by managing it with professionalism and rigour, and by reducing unmanaged street presence. The Spires, by contrast, has failed to safeguard amenity within its own walls. The objection therefore not only fails to prove conflict with policy but, if anything, demonstrates that HPS enhances amenity relative to the status quo. No statutory consultee has objected. The only voice raised in opposition is that of a commercial neighbour whose credibility is undermined by contradiction, whose evidence is discredited by chronology, and whose position is tainted by prejudice.

In the end, the issue for the Reporter is not whether guests at The Spires have ever felt discomfort, for clearly they have. The issue is what caused that discomfort, whether it is properly attributable to HPS, and whether it amounts to a material planning consideration. The evidence shows that the discomfort arose from nightlife, traffic, prostitution, fights, poor management, and maintenance failures, all present long before HPS. It shows that HPS has mitigated rather than caused harm. It shows that The Spires' objection is unsupported, irrelevant, contradictory, and prejudiced. In terms of *Wordie*, it cannot lawfully carry weight.

The Reporter is therefore respectfully invited to treat the objection of The Spires as having no material weight, to recognise that it is founded on misattribution and prejudice, and to overturn the refusal of planning permission. To do otherwise would be to elevate profit over dignity, prejudice over evidence, and exclusion over inclusion. It would be to allow the planning system to become an instrument of discrimination rather than a mechanism for balancing land use in the public interest. That cannot be permitted.

The only lawful, rational, and just conclusion is to grant the appeal and to confirm that HPS may continue to operate at 71 Glassford Street, Glasgow, in fulfilment of its vital mission to protect the most vulnerable.

OFFICIAL

Annex: Schedule of Exhibits

Exhibit 1 – September 2016, TripAdvisor (Guest from Vancouver, Canada)

“Depressing and unwelcoming... beds rock hard... very noisy location... staff ignored complaints. Couldn’t wait to get out of that hotel and city.”

Significance: Demonstrates serious amenity concerns and reputational harm seven years before the shelter existed.

Exhibit 2 – January 2017, TripAdvisor (Guest from Bath, UK)

“Apartments tired, dated and dirty... manager belligerent... witnessed a fight in the hall involving a prostitute demanding money from her client. Management dismissed it as ‘the norm.’”

Significance: Evidence of **serious disorder and criminality within The Spires**, predating the shelter by six years. Undermines claim that current issues stem from HPS.

Exhibit 3 – March 2023, Booking.com (Guest, UK)

“A lot of traffic noise... intrusive lighting from street, could not sleep.”

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Significance: Confirms **street noise** existed before **December 2023**, showing location-based amenity issues.

Exhibit 4 – March 2023, Booking.com (Guest, UK)

“Rooms a bit noisy... curtains poorly fitted... television broken.”

Significance: Demonstrates **internal failings** of The Spires’ management.

Exhibit 5 – June 2023, Booking.com (Guest, UK)

“Street noise especially at night was disturbing... dirty carpets... broken furniture.”

Significance: Confirms **night-time disturbance pre-shelter**, compounded by poor maintenance.

Exhibit 6 – September 2023, Booking.com (Guest, USA)

“The street is very noisy... host not responsive.”

Significance: Shows **noise complaints pre-shelter**, with management inattention.

Exhibit 7 – September 2023, TripAdvisor (Jessica K, UK)

“People stomping and yelling... dirty furnishings... broken window... no response from management.”

Significance: Independent source confirming **internal disorder and maintenance failures before HPS** existed.

Exhibit 8 – November 2024, Booking.com (Guest, Australia)

“Fun bars nearby... noise to be expected with a central location.”

Significance: Guest explicitly attributes disturbance to **bars, not the shelter**.

Exhibit 9 – November 2024, TripAdvisor (Guest, UK)

“Locked out at 1am... no response from out-of-hours... unsafe situation.” *Significance:* Evidence of **serious safety lapse internal to The Spires**, not attributable to HPS.

Exhibit 10 – June 2025, Booking.com (Guest, UK)

“Room was right across from a club so was loud at night.”

Significance: Confirms **noise source is nightlife economy**, not shelter.

Exhibit 11 – July 2025, Booking.com (Guest, Malaysia)

“Nights were pretty loud because of surrounding bars.”

Significance: Direct attribution of disturbance to **bars**, disproving HPS causation.

Exhibit 12 – August 2025, Booking.com (Guest, UK)

“Noisy next to pub/club.”

OFFICIAL

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Significance: Evidence that **proximity to nightlife** is cause of amenity complaints.

Exhibit 13 – September 2025, Booking.com (Guest, UK)

“A little noisy from bar across the road.”

Significance: Again, disturbance attributed to **bars**, not shelter.

Exhibit 14 – April 2024, Booking.com (Guest, USA – ‘Eric’)

“Was OK for city centre access... being next to homeless services was an unpleasant surprise.”

Property response: “Charity projects are usually well organised and do not negatively impact the surroundings.”

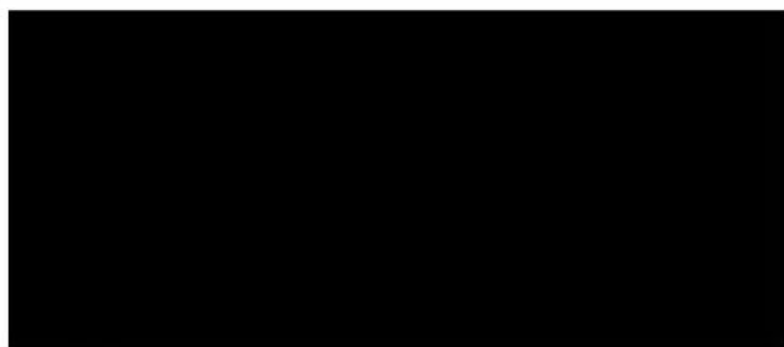
Significance: Shows The Spires’ own **public denial of harm**, contradicting its planning objection.

7.0

Good

😊 Was OK for city center access.

😞 Bring next to homeless services was an unpleasant surprise.



🗨 **Property response:**

I'm glad that easy access to the city center was a plus for you. Regarding the bad points, unfortunately, we have no control over what opens in our neighborhood. However, charity projects are usually well organized and do not negatively impact the surroundings. They are specially designed to support the homeless and those in need, which is very noble.

Guest reviews

[Write a review](#)

8.4 Very good
1,604 reviews

[↓↑ Sort](#)[Filter](#)

7.0

Reviewed: 7 September 2025

Good

😊 Everything was clean and well resourced.

😞 Location. Found it a little noisy from bar across the road

👍 Helpful

👎 Not helpful

8.0

Reviewed: 6 September 2025

Staff were great and helped us with an early access request

[← Back](#)[Reserve](#)

😊 Very handy for our visit



👍 Helpful

👎 Not helpful



9.0

Nice stay, great location.

😊 Great location, clean and well equipped from what I saw, we were only there for one night. Building was very secure.

😞 Not the quietest location, but not excessively loud for the location.



👍 Helpful

👎 Not helpful



8.0

< Back

Reserve

Property response:

Thank you so much for your feedback. We are sorry to hear you didn't like the location. We will do our best to improve the location. We hope to leave us a...

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Helpful



Not helpful



8.0

enjoyed and would return

No breakfast central location

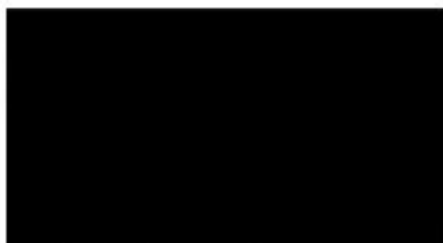
Because of central location noisy next to pub/club



Helpful



Not helpful

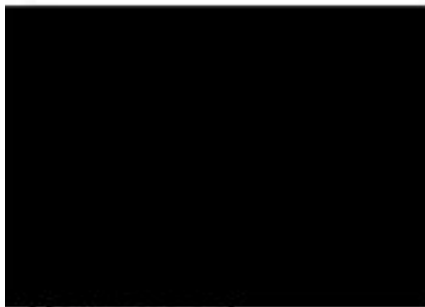


9.0

Great location, would stay again

Very clean with great facility's. Great location, close to the city centre. Plenty places to eat nearby and close

[< Back](#)[Reserve](#)

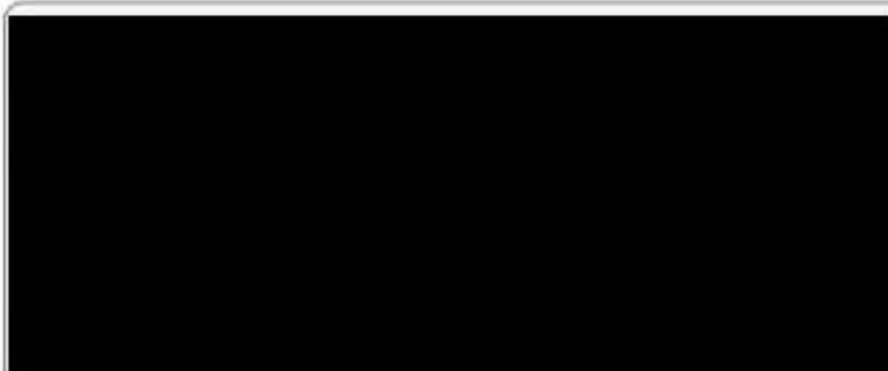
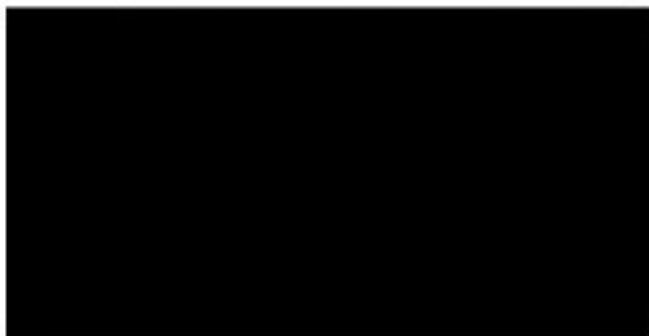
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8.0

Very good

😊 it was a lovely place rooms were clean and everything was that we could need was there.

😞 our room was right across from a club so was loud at night but other than that it was perfect

[Helpful](#)[Not helpful](#)

leanette

[< Back](#)[Reserve](#)

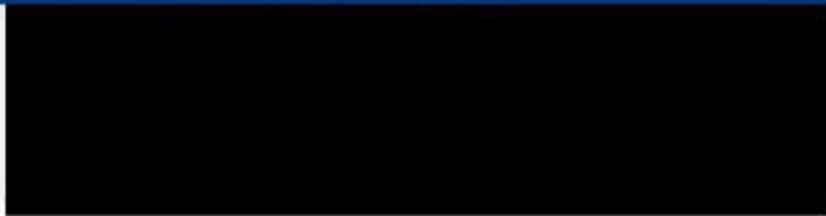
[^ Back to top](#)[👍 Helpful](#) [👎 Not helpful](#)

9.0

A very clean and comfortable apartment. Local-style living in the middle of the city

😊 I must have received an upgrade as I was in the penthouse, which was a large apartment with everything I could possibly need. Check in was easy, and the property manager [REDACTED] provided a very early check in which was wonderful. The apartment was very clean and warm, the bed was comfortable, and there was a bathroom and an ensuite. The building looks more like a private residence than a hotel, which is to be expected. The location is great (as per other reviews there are some homeless people around at certain times but this is no problem). With fun bars nearby, expect to hear some social activity (but this is what comes with a central location).

[👍 Helpful](#)[👎 Not helpful](#)[← Back](#)[Reserve](#)



Helpful



Not helpful

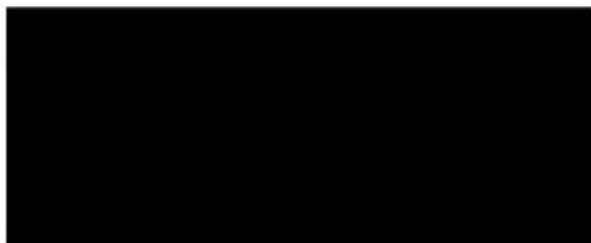


9.0

two days in Glasgow to recover from a long flight from Australia before setting off on an adventure.

😊 it's location was great at the centre of the city close to amenities and transportation. the apartment was spacious and spotlessly clean. the staff were friendly and helpful.

😞 at night there was noise from drunken carousers on the streets below, though this was subdued by double glazing. a false fire alarm was also unpleasant and inconvenient, though not the fault of the property.



Helpful



Not helpful

< Back

Reserve



p



Helpful



Not helpful



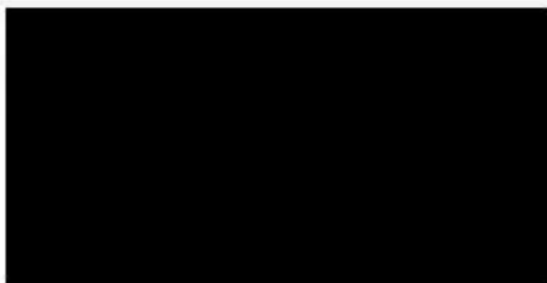
8.0

Very spacious room, value for money

Very spacious room. Very near to the city center and only one block from a large Marks & Spencer store.



It should be because the property was located in the the city center but It was noisy until late at night.
At the time of the check in, I couldn't find any key code in the Confirmation mail or a door phone to open the front door to access to the reception.
The chairs (high chairs) in the kitchen were too high, So I had to be standing while eating.



Helpful



Not helpful

< Back

Reserve

Thank you for taking the time to write us a...

[Continue reading](#)

[^ Back to top](#)



Helpful



Not helpful



9.0

will definitely stay here again when we come through to glasgow

😊 lots of space, great facilities, eg we cooked breakfast and had a big fridge for breakfast and a dishwasher to clean up. balcony was handy as we had a smoker and also the showers were good. on the whole a lot better than being in a bunch of separate hotel rooms.

😞 a bit noisy. you could hear people walking around.



Helpful



Not helpful



9.0

[← Back](#)

[Reserve](#)

[^ Back to top](#)[👎 Not helpful](#)

8.0

Very good

😞 Nights were pretty loud because of surrounding bars

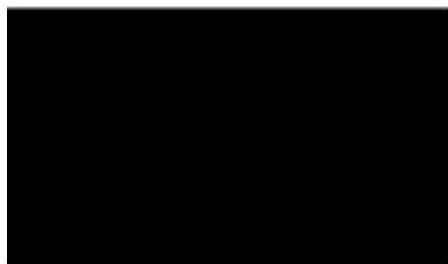


🗨 **Property response:**



Thank you for taking the time to leave us a...

[Continue reading](#)

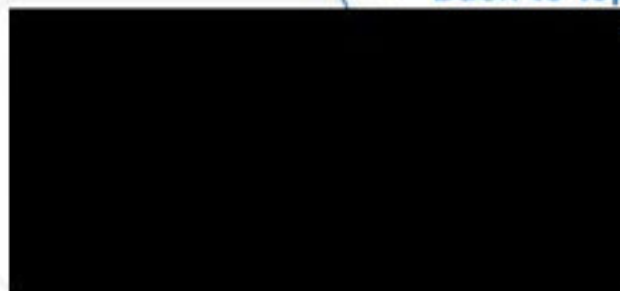
[👍 Helpful](#)[👎 Not helpful](#)

8.0

Very good[← Back](#)[Reserve](#)

☹️ Beds in en-suite room uncomfortable.

^ [Back to top](#)



Helpful



Not helpful



8.0

Very adequate given the nature of the trip

😊 Very large spacious apartment and right in the thick of the hospitality and retail hub of Glasgow

☹️ Relatively noisy late in the evening into the early hours due to bar / nightclub adjacent to the back of the property. This was to be expected as it is the centre of Glasgow and it was Friday night



Helpful






Not helpful



8.0


< [Back](#)

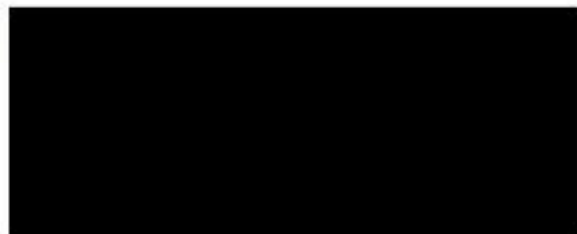
[Reserve](#)

01:07   

parking close by

[^ Back to top](#)

 Great location, comfortable apartment with good facilities



 Helpful


 Not helpful

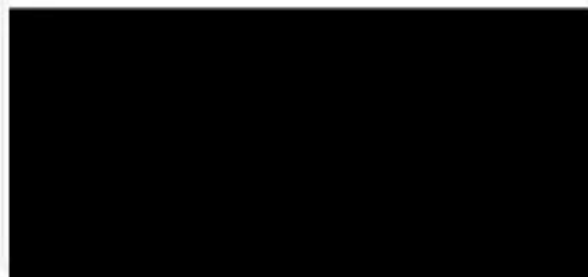


9.0


Good apartment, Great location, noisy and no response from host.

 Location was nice

 The Street is very noisy. I also emailed them asking a question before check in and never got a response.



 Helpful

 Not helpful

1 person found this review helpful.

[< Back](#)

[Reserve](#)

 [Back to top](#)

8.0

Good stay overall. Just needs a bit of tlc to make it v comfortable

- 😊 1. Excellent email communication
2. Location
3. Very easy checkin , checkout process. Early check-in 👍
4. Kitchen v well equipped
5. Clean linen & towels
- 😞 1. Floors & carpet dusty - not hoovered well. Hair in corners. Kitchen counter dusty.
2. One Bed had a missing wheel and neither beds had wheel locks. So they moved every time you even brushed against them. V annoying.
3. Windows not soundproof. Street noise especially at night was disturbing



👍 Helpful 👎 Not helpful

1 person found this review helpful.



8.0

[< Back](#)[Reserve](#)



Helpful



Not helpful



7.0

Good

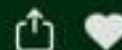
- 😊 The location was very central, and the apartment very roomy, and they were very accomodating in ensuring I had a room with plenty of seating as needed to run a meeting in the lounge on the first day.
- 😞 The TV didnt work, and as there is no reception I couldnt get it fixed on first night, so staying on my own and not having background noise and something to watch was a real shame. Also a lot of traffic noise, and a light from opposite the road that blinked all night long and the curtains were not covering all the window sufficiently, am a light sleeper so find the room lighting up distracting trying to settle. Also shower needs adjusting, only a very light volume of water so had bath second day so could more easily get the soap off. Its a lovely apartment with a few enhancements could be so much better.



< Back

Reserve

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About

Location

Reviews



4 contributions



Terrible

Locked out building at 1am when I returned from work

I called and called the out of hours number but they did not answer

The response was a pathetic apology

Do not use this accommodation - I dread to think what could have happened

They don't care about your safety and wellbeing - stay somewhere else

[Read less](#) ^

Date of stay: November 2024

Trip type: Travelled on business

This review is the subjective opinion of an individual traveller and not of Tripadvisor LLC nor of its partners. Tripadvisor performs checks on

from

£94

Sun 21/09 → Mon 22/09

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Location

Reviews



...

Scotland • 9 contributions • 11 helpful votes



Ok but room for improvement

The apartment was clean and a good size. We were 3 women so they set up a z bed in lounge meaning we got our own space which was good. 2 bathrooms is great for 3 of us.

However, the apartment smelt of cigarettes, particularly the bathroom. The extractor fan in bathroom didn't work, one wardrobe the sliding doors didn't open, one window couldn't open and the hall radiator leaked. Also the kitchen smoke alarm had been disabled (apparently they've had problems with them going off and everyone getting evacuated). Apparently this is legal as the smoke alarm in open lounge is suffice/legal. Hmmm possibly legal but not ideal.

So it overall our stay was ok but I've stayed in better equipped serviced apartments.

[Read less](#) ^

Date of stay: November 2024

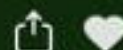
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About

Location

Reviews



61 contributions • 4 helpful votes



Would never stay here again

A couple good things... Great location and it had a washer/dryer! When we arrived at 7pm we weren't given any instructions before arriving so it was a surprise we couldn't get in and had to call the emergency number listed. We finally got up to the apartment it was 2 bedrooms. The beds were hard and we couldn't sleep. The people above us were loud at night stomping and yelling, the rug and throw pillows in the TV room were dirty, and the windows wouldn't open. I would never stay here again.

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Value



Location



Service

from

£94

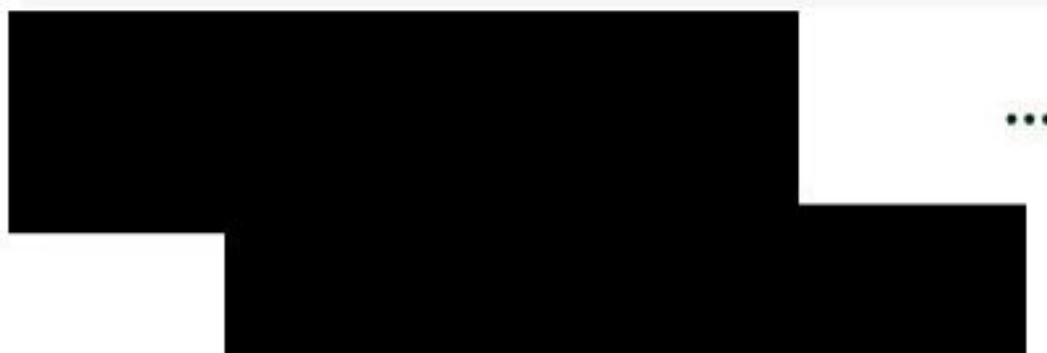
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tripadvisor.co.uk





Nightmare on Glassford st.

The moment I arrived I knew something was a miss. The manager [REDACTED] was belligerent from the moment we arrived. After a long day in meetings I chose to overlook her appalling attitude and just get to my apartment. Well.... there's no way of putting this, what a dump. The apartment was tired, dated and DIRTY! I spend 230 nights in hotels every year and never have I seen such a pit!

In shock, I began searching for alternative accommodation when a fight broke out in the hall. Turns out a local hooker demanding money from her client in the next room. I couldn't believe it!

Bringing this to [REDACTED] attention she told me this was the norm and despite telling me she was the manager when I arrived when I questioned her

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Reviews

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In shock, I began searching for alternative accommodation when a fight broke out in the hall. Turns out a local hooker demanding money from her client in the next room. I couldn't believe it!

Bringing this to [REDACTED] attention she told me this was the norm and despite telling me she was the manager when I arrived when I questioned her attitude to then telling me the manager wasn't on site? I stated I'll drop by TripAdvisor to which she stated "that's fine, 'I'll' respond accordingly" - AVOID you have been warned!

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Location

Reviews



Interesting detail, we found Glasgow was a very unfriendly and depressing city

Location of the Spires was close to everything but the room itself was depressing and unwelcoming...definitely not what the pictures show on their website. The beds were rock hard and uncomfortable. The location of our room was very noisy. No free wifi which was a nuisance having 3 adult kids travelling with us. They wanted 30 pounds per cellphone to hook up to wifi. The TV was not hooked up and when we asked the hotel to come and hook it up for us they ignored our request. All in all, not a great way to end our vacation. My family of 5 couldn't wait to get out of that hotel and city.

[Read less](#) ^

Location



Cleanliness



from

£94

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