

Re: Lockwood Environment Ltd. Odour Report [Appendix 4]

I am writing again in response to the recent batch of submitted documents from Deliveroo in regard to Planning Application 2020/2367/P.

I am writing to object to the conclusions of the new Lockwood Odour Report commissioned by Deliveroo to assess the effectiveness of their equipment to control the smells arising from their onsite operation.

This new Odour Report is in large measure in response to repeated requests from Cresta House residents for an *independent expert* assessment, with Camden's Environment Team in attendance, of the ongoing smell nuisance Cresta House residents assume originate from the extract flues that service Deliveroo's nine-kitchen operation.

The Lockwood assessment consisted of a sniffing expert sniffing the air for 5 minutes at 11 locations around the site on 5 separate occasions. By their own account the assessor, Robert Lockwood, has "a tested acuity considered to be within the *normal* range".

The Report delivered a resounding '**All Clear**' to Deliveroo as the source of smell nuisance **anywhere beyond the boundary of the site:-**

*"During each of the five assessments it was confirmed that **no cooking odours from the Deliveroo kitchen ventilation system, or the premises itself, were discernible at any assessment point outside the boundary of the site.**" [4.0: Conclusion]*

- and placed the blame for the "burnt, oily, smoky, fatty, sweet, spicy cooking odours" experienced in 8 of the 11 locations on Zzang, a single kitchen restaurant that is directly above the Editions site at 115 Finchley Road.

"Z Zang is a significant contributor to the odour environment in the locality...the cooking odours associated with this separate commercial venture should not be confused or attributable to the Swiss Cottage Deliveroo Editions site."

The Report stresses that the cooking smells coming from Zzang have nothing to do with Deliveroo Editions despite the fact that:

- An online search for **Zzang** goes immediately to **Deliveroo**:
<https://deliveroo.co.uk/menu/london/swiss-cottage-editions/zzang-korean-restaurant>
- And the restaurant appears online as: **"Zzang Korean Restaurant - Swiss Cottage Editions"**

The Report concluded that:

“the site is being operated without detrimental impacts to the amenity of the predominantly surrounding residential area and its community”

The Lockwood Report thus claims to have explained away **all** the smell nuisance experienced by local residents.

But it has not.

While the Report might go some way to account for much of the nuisance smell experienced at **ground level**, it does not explain away the ongoing smell nuisance experienced **above ground level** by Cresta House residents, whose balconies and windows are on the 4th to 9th floors. Their flats are right behind and at *the same height or higher* than the open top ends of the industrial extractor vents that gather and expel the smells and fumes from Deliveroo’s nine kitchens.



November 2 2017@13:05 Health and Safety laws dictate that vents that expel their contents into residential areas must be positioned higher than the highest surrounding residential dwellings. It was on this basis that Camden issued Deliveroo with the Enforcement Notice to leave the premises.

Odours that come from the Deliveroo Extract Flues:

The Report concedes that there are smells **coming out of the Deliveroo discharge flues** – and at a **Frequency** rating of **Constant**.

The sniff tests taken directly at the Deliveroo discharge flues [on the flat roof beside the vents] confirmed – on each of the five visits – that there was a **constant “mixed cooking/vegetable-like**

smell” coming from the middle flue and a **constant “more burger/meaty type smell”** from the right hand flue.

The smells described are the same kinds of smells reported by residents of Cresta House.

The tests also confirmed that the smell at the source was *‘not the same smell as at all the locations around the area [at ground level] witnessed earlier’* [i.e. from Zzang].

The tests reported that the current extract system **“reduces cooking smells”**. They did not report by how much or that the current extract system **gets rid of them**.

*“From the on-site assessments undertaken the odour filtration system currently being used is effective at **reducing** cooking smells from the Deliveroo Editions kitchens.”*

Odours Experienced on the Cresta House Balconies:

The Lockwood Report gives the Cresta House balconies a **‘High Receptor Sensitivity’** rating. It is therefore not surprising – but to be expected - that these smells are as noticeable and intrusive on the balconies and into the windows as residents say they are.

The assessment protocol was for 5 tests to be carried out in each location. According to the results provided in The Report only **two tests** were carried out on the 9th floor balcony of Cresta House.

These recorded *“very faint cooking smells”* whose source was *“not clearly evident”* [Test: 12.06.2020] or *“no smell at all”* [Test: 10.07.2020]

This is not surprising given the flawed methodology used for the tests:

1. By far the preponderance of smell nuisance reports came from apartments on the 5th and 9th floors of Cresta House. It would have made sense, therefore, to site a large proportion of the 55 site tests on the 5th and 9th floor balconies at Cresta House.

- Only **2** of the 55 test results relate to assessments from the 9th floor balcony of Cresta House
- No tests were carried out on the 5th floor balcony of Cresta House

2. The tests were conducted by sniffing the air for 5-10 minutes in each location - not over a long period of time and not when smells had been reported and were happening– but when the sniff expert happened to be there.

3. The tests were not conducted, as suggested would be meaningful by residents, when the wind was blowing from the south or southeast. They were carried out when there was a light wind from the West and no wind at all.

4. Nearly all the tests were conducted at *ground* level.

I note, in passing, that the sniff expert who carried out the assessment of the smell nuisance at Cresta House is the same Robert Lockwood whose company was commissioned to carry out and prepare this independent Report. In general, and not specific to the Lockwood Report, I question whether it is possible for a report to be truly 'independent' when it is paid for by the company who commissioned it.

So far, the Report, that purports to absolve Deliveroo as the cause of any discernible smell nuisance 'outside the boundary of the site', concedes that there are faint cooking smells evident on the balcony of the 9th floor at Cresta House, there are constant smells coming out of the extract vents, that Cresta House balconies and windows are of High Receptor Sensitivity and that Zzang's smells do not reach Cresta House.

The smells must come from somewhere.

Unless Editions is willing to suggest that Cresta House residents have been lying these past three years – and that their ongoing Reports to the Camden Environment team are bogus, it is clear that more has to be done to get to the bottom of the smell nuisance experienced by local residents before Deliveroo can rightly claim that it has nothing to do with the output from their 9 industrial kitchens.

Lest Deliveroo is tempted to point out, again, that it is only a few residents at Cresta House who are bothered by the smells I want to make clear that that is not the case: with the exception of a few flats where the leaseholders visit London for a few weeks once or twice a year, 35 of the 38 apartments at Cresta House are let to tenants who rent their apartments from absentee landlords. The fact that these tenants do not complain about the smells does not mean they are not suffering. As the Chair of the Cresta House Residents Association I can say, categorically, that these tenants never ever involve themselves in problems at Cresta House.

Edie Raff

Chair, CHRA
Member of the LRG